



Министерство образования и науки  
Российской Федерации  
**ФЕДЕРАЛЬНАЯ СЛУЖБА  
ПО ИНТЕЛЛЕКТУАЛЬНОЙ  
СОБСТВЕННОСТИ,  
ПАТЕНТАМ И ТОВАРНЫМ  
ЗНАКАМ**

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02.06.09 № 45-1/1-275  
На № \_\_\_\_\_ от \_\_\_\_\_

Mrs. Tomoko MIYAMOTO  
Senior Counsellor  
Patent Law Section  
World Intellectual  
Property Organization  
Geneva

Dear Mrs. MIYAMOTO,

Please find attached up-to-dated information concerning Exclusions from Patentable Subject Matter and Exceptions and Limitations of the Rights in the Russian Federation to be included in the Report on the International Patent System, Document SCP/12/3REV.2, ANNEX II (CERTAIN ASPECTS OF NATIONAL/REGIONAL PATENT LAWS).

Sincerely yours,

Mikhail Faleev

Director

International Cooperation Department

Encl.

## (6) Exclusions from Patentable Subject Matter

Country	Exclusions from Patentable Subject Matter
<b>Russian Federation</b>	<ol style="list-style-type: none"> <li>1) discoveries;</li> <li>2) scientific theories and mathematical methods;</li> <li>3) proposals concerning solely the outward appearance of manufactured articles and intended to satisfy aesthetic requirements;</li> <li>4) rules and methods of games and for intellectual or business activity;</li> <li>5) computer programs;</li> <li>6) ideas on presentation of information.</li> <li>7) varieties of plants, breeds of animals and biological methods of obtaining thereof with the exception of microbiological methods and products obtained by the use of such methods;</li> <li>8) layout-designs (topographies) of integrated circuits.</li> <li>9) methods of cloning of a human being;</li> <li>10) methods of modification of the genetic integrity of cells of the embryonic line of a human being;</li> <li>11) use of human embryos for industrial and commercial purposes;</li> <li>12) other proposals that are contrary to public interest, principles of humanity and morality.</li> </ol>

## (7) Exceptions and Limitations of the Rights

Country	Exceptions and Limitations of the Rights
<b>Russian Federation</b>	<p>1) use of a product incorporating the invention or utility model and use of a device incorporating an industrial design in the structure, in auxiliary equipment, or in the exploitation of transportation vehicles (river and marine, air, automobile, and railway transport) and space crafts of foreign states provided that such transportation vehicles or this space crafts are located within the territory of the Russian Federation, temporally or accidentally, and that the aforesaid product or device is used solely for the needs of transportation vehicles or space crafts. Such an acts shall not be recognized as an act of infringement of the exclusive right of the patent holder with respect to the transportation vehicles and space crafts of those foreign states that grant similar rights with respect to transportation vehicles and space crafts registered in the Russian Federation;</p> <p>2) scientific research of a product or process incorporating an invention or utility model, or scientific research of a device incorporating an industrial design or the conduct of an experiment with such a product, process, or device;</p> <p>3) use of an invention, utility model, or industrial design in emergency situations (natural calamities, catastrophes, accidents) provided that the patent holder is notified as soon as possible and payment to him a reasonable remuneration;</p> <p>4) use of an invention, utility model, or industrial design for private, family, domestic, or other needs not related with business activity, if the purpose of such use is not to make profit or revenue;</p> <p>5) occasional preparation in pharmacies based on physicians' prescriptions of medicaments using the invention;</p> <p>6) import into the territory of the Russian Federation, utilization, offer for sale, selling, other introduction into civil circulation or storage for these purposes of a product, incorporating the invention or utility model or of a device, incorporating the industrial design if such product or device had been early introduced into civil circulation within the territory of the Russian Federation by the patent holder or by another person with the consent of the patent holder.</p> <p>7) Continued prior use by a person, who before the priority date had conceived and was using in good faith within the territory of the Russian Federation the identical solution or made the necessary preparations for such use shall have the right to proceed with that use gracious provided that the scope thereof is not extended (the right of prior use).</p> <p>8) Compulsory licenses.</p>