MANAGING INTELLECTUAL PROPERTY RIGHTS IN THE RUSSIAN FEDERATION

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Upon the initiative of Rospatent, a separate section dedicated to the IP field development has been introduced into "The Key Guidelines for the Government to 2024 ":

- To increase the circulation of rights to RIA and the patent activity (the index of the inventor's activity in the Russian Federation in 2018 - 1.7; in accordance with the Strategy of the Innovation development of Russia in 2020 - 2.8)
  - To ensure at least 4000 international applications per annum from Russian applicants through the PCT system;
  - To reach the fifth position in the relative share of the total number of patent applications in the priority areas of scientific and technological development;
  - To implement large-scale educational programmes, to ensure further training of at least 5000 specialists annually in the field of IP rights protection and transfer of technologies;

- To increase the efficiency and performance indicators of R&D for state purposes, patent researches while creating technical requirements to the developed products and technical tasks for R&D

- To create a RIAs rights transfer system, including the establishment of at least 35 Technology and Innovation Support Centers that deal with the commercialization of RIA of scientific and educational institutes;

- To develop the modern practice of in-depth patent analytic: conducting patent research and preparing patent landscapes;
In 2018, against the background of the fall of patent activity by the Russian applicants in 2016 - 2017 (increase by 8,5% and by 15% as compared to the previous years accordingly) there is an increase of 9,4% of number of the filed patent applications by the Russian applicants.
REASONS OF DECREASING OF PATENT ACTIVITY

1. **INSUFFICIENCY OF FUNDING OF R&D**

2. **LACK OF CREDIBLE ASSURANCES FOR remuneration of scientists, inventors when using patentable developments**

3. **COMPLEXITY of the potential commercialization (absence of prospects of technology transfer system)**

4. **INCREASED REQUIREMENTS to the inventive step in the frameworks of tax exempt patenting (Article 1366 of the Civil Code of the Russian Federation)**

5. **COMMUNICATION FAILURE by the leadership of organizations to understand the long-term risks of weak IP management. current cost reduction**

6. **ABSENCE IN ORGANIZATIONS of system requirements to efficiency of R&D and IP management**

7. **INSUFFICIENCY of the qualified specialists in the field of intellectual property**
Analyzed 521 government contracts

The amount of budgetary funding in 425.5 billion rubles

Amount of created registrable RIA: 1 116

Cost of created of 1 registrable RIA: 381,27 million rubles
MEASURES TO IMPROVE THE EFFICIENCY OF R&D

• One of the main tasks facing the Russian economy is the improvement of mechanisms of involvement in circulation of rights for RIA executed at the expense of budgetary funds or involving financial resources of the federal budget as well as dealing with assigning/alienation or maintaining the exclusive rights for RIA belonging to the Russian Federation.

• inclusion of target indicators in government programs:
  1) the SHARE of budgetary allocations costs on R&D, in which the key patentable technical solutions were developed, in the total amount of costs on R&D;
  2) SHARE of TECHNOLOGIES WITH INNOVATION POTENTIAL implemented in production of new (improved) products (services);

• inclusion of obligations to create and commercialize intellectual property in government contracts for implementation of R&D
MEASURES TO IMPROVE THE EFFICIENCY OF R&D

TASK:

improvement of mechanisms of involvement in circulation of rights executed at the expense of budgetary funds

- Recommendations of the Government on management of rights for RIA in organizations have been approved.
- Recommendations on management of rights for RIA and means of individualization in regions of the Russian Federation have been approved.
- IP Policy for Universities and Research Institutions has been approved and implemented in the Russian Federation.
Recommendations have been developed for the purpose of improving competitiveness and creating conditions for sustainable development of organizations, realization of tasks and objectives in the field of innovation and technological development.

By Order of the Government of the Russian Federation (ИШ-П8-800 dated February 4, 2014) the Recommendations were brought to the attention of public research organizations.

It is necessary to ensure the correspondence of the Corporate Policy of interaction of participants of development, commercialization, capitalization and reproduction of IP objects to the requirements of science and technology policy of Organization with regard to management of rights for RIA.

To implement the Recommendations of the Government of the Russian Federation on management of rights for RIA in organizations it is necessary to confirm the fundamental provisions on management of rights for RIA in an Organization and Work plan for their implementation in accordance with the present Recommendations as well as with the approved program of innovation development.
RECOMMENDATIONS ON MANAGEMENT OF RIGHTS FOR RIA AND MEANS OF INDIVIDUALIZATION IN REGIONS OF THE RUSSIAN FEDERATION

- Creating conditions for development conditions for invention and rationalization
- Development of mechanisms for creating RIA and management of rights for RIA and means of individualization
- Development of regional policy in the IP field
- Development of IP market infrastructure

Management of rights for RIA and means of individualization in the regions of the Russian Federation
Appointment of a responsible officer of the Russian Federation region for the IP field

Responsible officer

- Authorized body
- Collegiate authority

Representative of research institutes and universities
Development of the Strategic Document and legal framework in the IP field includes:

- Managing rights for RIA that belong to the region/constituent entity of the Russian Federation where Research Institutes and Universities are as being one of management entities;
- Development of infrastructure in the IP field with scientific research institutes and universities forming an integral part;
- Support of the constituent entity of the Russian Federation in the field of intellectual property and innovation, encouragement of inventors and rationalizers (innovators) in the framework of the IP Policy for Universities and Research Institutions;
- Educational activities among the population in the field of intellectual property, inventive and rationalization activities carried out by Universities;
- Research Institutes and Universities may take part in the inventory, examination, evaluation and identification of protectable RIA;
- Conclusion and development of existing agreements of interregional and international cooperation of the constituent entity of the Russian Federation in the scientific and technical as well as intellectual property field involving Research Institutes and Universities.
Structure of regional organizations in the IP field

- Shared knowledge centers
- Objects of financial infrastructure
- Innovative research and technology centers
- Innovative youth activity centers
- Multifunctional centers of innovation and technology transfer centers
- Technology and Innovation Support Centers (TISCs)
- Technoparks
- Innovative clusters
- Business incubators

Specialized organization (regional development institution)
Innovative Development and Inventors’ support by Administration of a region

<table>
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<tr>
<th>Tax benefits</th>
<th>Grants</th>
<th>Subsidizing a share (for persons carrying out innovative activity)</th>
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<td>Ensuring government guarantees for loans and credits</td>
<td>Grants for training in the field of management of IP rights (IPRs)</td>
<td>Informational and technical assistance</td>
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<td>Mechanisms of encouragements for developers and authors</td>
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The World Intellectual Property Organization (WIPO) has assigned the status of “WIPO-level Pre-Qualified Patent Landscapes Provider” to the FIPS project office and included it in a closed register of service providers of patent analytics, providing a possibility to participate in WIPO tenders.
FIPS - patent analytics factory

- 7 most famous systems of patent analytics in the world
- its own methodology of technological and business consulting
- strategy of technological development
- strategies of market entry
- technology and business partners

- patent analysis specialists
- patent examiners
- business analysts

- all world patent information
- scholarly publication
- Internet

- oil and gas
- transport
- medicine
- chemical industry
- ecology, bioacoustics, water purification
- ...

# FIPS project office
1. **Introduction of special tax regime**

Reduction of profit tax rates to 5% for all enterprises and organizations that are tax residents of the Russian Federation and receiving income from the use and (or) alienation of rights for RIA but not only for exporters of rights for RIA.

2. **Use of reduced rates of insurance payments**

Use of reduced rates of insurance payments that were in force for Small Innovative Enterprises in 2017, while maintaining these conditions only for Small Innovative Enterprises working with patents for inventions.

3. **Amendments of the taxable base**

- Exclusion from the taxable base the assets the rights for which the contractor of the public contract initially had in accordance with the terms of the contract.

4. **VAT exemptions**
IP BASED LOANS IS THE INSTRUMENT OF FINANCIAL SUPPORT OF DEVELOPMENT OF HIGH-TECHNOLOGY BUSINESS

In the Russian Federation the project on IP based loans for SMEs has been implemented and supported by the Government of the Russian Federation.

In the framework of the national project for the period 2019-2024 to support technology entrepreneurship have been planned activities to develop IP based loans using the possibilities of the National Guarantee System and the program of preferential loans to SMEs.

**Government Resolution of the Russian Federation № 533 dated April 30, 2019 on approval of the rules of provision of subsidies from the federal budget to SMEs for reimbursement of expenses with regard to IP based loans.**
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THANK YOU FOR YOUR ATTENTION!