

EURASIAN PATENT OFFICE (EAPO)

AS DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

EAPC: Eurasian Patent Convention of 9 September 1994¹

EAPR: Patent Regulations under the Eurasian Patent Convention¹

EASF: Statute on Fees of the Eurasian Patent Organization¹

¹ The texts may be obtained on the Internet at <https://www.eapo.org/en/?documents=norm>

SUMMARY**Designated
(or elected) Office****SUMMARY****EA****EURASIAN PATENT OFFICE (EAPO)****EA****Summary of requirements for entry into the national phase**

Time limits applicable for entry into the national phase:	Under PCT Article 22(3): 31 months from the priority date Under PCT Article 39(1)(b): 31 months from the priority date
Translation of international application required into: ¹	Russian
Required contents of the translation for entry into the national phase: ¹	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended), any text matter of drawings, abstract Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts has been amended, both as originally filed and as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee:	Currency: Russian rouble (RUB) Unitary procedural fee (for filing, search, publication and other processing): ² RUB 28,000 ³ Claim fee for each claim: – in excess of five: ¹ RUB 3,700 ³ – in excess of 20: ¹ RUB 4,000 ³ – in excess of 50: ¹ RUB 5,000 ³ Examination fee: – for one invention: RUB 30,000 ³ – for a group of inventions including one independent claim: – additional fee for the second independent claim: RUB 30,000 ³ – additional fee for each independent claim in excess of two claims: RUB 20,000 ³ RUB 10,000 ³
Exemptions, reductions or refunds of the national fee:	The unitary procedural fee is reduced by 25% where an international search report has been established

[Continued on next page]

¹ Must be furnished or paid within two months from the expiration of the time limit applicable under PCT Article 22 or 39(1) or within two months from the date on which the applicant files a special request for early entry into the national phase.

² Must be paid within the time limit applicable under PCT Article 22 or 39(1).

³ This fee is reduced by 90% where the applicant or, if there are two or more applicants, each applicant is a natural person who is a national or resident of any of the States party to the Eurasian Patent Convention, by 70% where the applicant or, if there are two or more applicants, each applicant is a state science or a state educational organization of any of the States party to the Eurasian Patent Convention, by 10% where the applicant or, if there are two or more applicants, each applicant is a legal person with a principal place of business in any of the States party to the Eurasian Patent Convention and by 50% where the applicant or, if there are two or more applicants, each applicant is a natural person who is a national or resident of any of the states listed on the Office's website at: www.eapo.org/ru/documents/norm/prilposh_2019.html.

SUMMARY**Designated
(or elected) Office****SUMMARY****EA****EURASIAN PATENT OFFICE (EAPO)****EA***[Continued]*

Special requirements of the Office
(PCT Rule 51*bis*):⁴

Name and address of the inventor if they have not been furnished in the “Request” part of the international application⁵

Appointment of an agent if the applicant has neither a residence nor his principal place of business within the territory of one of the States party to the Eurasian Patent Convention

Instrument of assignment of the priority right where the applicants are not identical⁵

Who can act as agent?

Any legal practitioner⁶ qualified to practice in patent matters in one of the States party to the Eurasian Patent Convention and inscribed in the register of patent attorneys kept in the Office.

Does the Office accept requests for
restoration of the right of priority
(PCT Rule 49*ter.2*)?

Yes, the Office applies the “unintentional” criterion to such requests

⁴ If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit fixed in the invitation.

⁵ This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

⁶ The list of registered patent attorneys may be obtained on the Internet at: www.eapo.org/en/attorneys.php.

THE PROCEDURE IN THE NATIONAL PHASE

- EA.01 **FORM FOR ENTERING THE NATIONAL PHASE.** The EAPO has available a special form for entering the national (regional) phase (see Annex EA.II) which can also be obtained on the Internet at www.eapo.org/pdf/int2010.pdf. This form should preferably (but need not) be used.
- EA.02 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as filed (see National Phase, paragraphs 6.002 and 6.003).
- EAPR Rule 211(6)
71(3) EA.03 **LATE FURNISHING OF THE TRANSLATION.** If the translation of the international application has not been furnished within the 31-month time limit applicable under PCT Article 22(3) or 39(1)(b), it may still be furnished within a period of grace of two months from the expiration of the applicable time limit. The applicant shall have the right, within two months following the date of expiration of the initial two-month period, to furnish the translation, provided that an additional fee is paid.
- EAPC Art. 15(12)
EAPR Rule 30 EA.04 **APPOINTMENT OF AN AGENT AND POWER OF ATTORNEY.** Natural and legal persons having their residence or their principal place of business within the territory of one of the EAPC Contracting States may act on their own behalf or through representatives, who need not be patent agents, in proceedings before the EAPO. Natural and legal persons having neither a residence nor their principal place of business within the territory of any of the EAPC Contracting States must be represented by an agent entitled to practice before the EAPO (see the Summary, "Who can act as agent?"). The list of registered patent agents is available upon request from the EAPO or can be obtained on the Internet at www.eapo.org/en/attorneys.php. A model of a power of attorney is given in Annex EA.III. In case of failure to appoint an agent within two months from the expiration of the time limit applicable under PCT Article 22(3) or 39(1)(b), if required, the applicant will be invited by the EAPO to do so within four months following the date of expiration of the initial two-month period, provided that an additional fee is paid.
- EAPC Art. 18
EAPR Rule 40(1) EA.05 **FEES (MANNER OF PAYMENT).** The manner of payment of fees indicated in the Summary and in this Chapter is outlined in Annex EA.I.
- EAPR Rule 71(3)
EASF Rule 2(1)(iv) EA.06 **LATE PAYMENT OF (NATIONAL) FEES.** If the unitary procedural fee indicated in the Summary has not been paid within the time limit applicable under PCT Article 22(3) or 39(1)(b), payment can still be made together with a 20% surcharge for late payment within a period of grace of two months from the expiration of the applicable time limit.
- EAPR Rule 24(7) EA.07 **CLAIM FEE.** The claim fee must be calculated on the basis of the number of claims existing on entry into the national phase (that is, where amendments have been filed, the claims as amended under PCT Article 19 or 34(2) or the claims as submitted by the applicant under PCT Article 28 or 41 upon entering the national phase), unless the applicant has used the opportunity to amend the claims according to EAPR Rule 49(2) or 71(5) (see paragraph EA.11), the claims thus amended being then used as the basis for calculation of the claim fee and for further proceedings. Where the applicant fails to pay the correct amount of the claim fee, the EAPO will invite him to pay the missing amount within a period fixed in the invitation.
- EAPC Art. 15(5)
EAPR Rule 46 EA.08 **REQUEST FOR EXAMINATION.** The Eurasian patent is granted only after substantive examination, which starts only at the request of the applicant. There is no special form for requesting examination but the request must be made in writing. The request may be made by using the form referred to in paragraph EA.01 (see Annex EA.II). The request for examination is considered to have been filed only after the examination fee has been paid.

- EAPC Art. 15(5)
EAPR Rule 46(1) EA.09 **TIME LIMIT FOR REQUESTING EXAMINATION.** Examination must be requested within six months from publication by the International Bureau of the international search report or before the expiration of the time limit applicable under PCT Article 22(3) or 39(1)(b) (31 months), whichever time limit expires later. The request for examination may still be validly filed within a period of grace of two months from the expiration of the applicable time limit, provided that an additional fee is paid.
- EAPR Rule 23(8) EA.10 **NUCLEOTIDE AND AMINO ACID SEQUENCES.** If, at the expiry of the 31-month time limit applicable under PCT Articles 22(3) and 39(1)(b), a sequence listing does not comply with the Standard contained in Annex C of the Administrative Instructions under the PCT, or has not been filed on the prescribed electronic data carrier (disc), the applicant will be invited to file a sequence listing complying with the prescribed standard or on the prescribed data carrier.
- EAPR Rules 49(2)
71(5) EA.11 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant has the right to amend any element of his application on his own initiative [at any time before the decision to grant a patent is taken by the office; corrections may be made](#) at any time before the completion of technical preparations for publication of the Eurasian patent, provided that the amendments or corrections do not go beyond the subject matter of the claimed invention as filed and that the prescribed fee for amendment is paid. If the amendments or corrections are made within the two-month period from the expiration of the time limit under PCT Article 22(3) or 39(1)(b), there is no need to pay the prescribed fee for amendment.
- EAPC Art. 15(10)
EAPR Rule 51(1) EA.12 **FEE FOR GRANT.** A fee for grant must be paid within four months from the date of transmittal to the applicant of the notice from the EAPO [of its intention](#) to grant the Eurasian patent. If the fee is not paid within the said time limit, granting and publication of the Eurasian patent will not take place and the corresponding Eurasian application will be considered withdrawn.
- EAPC Art. 13(3) EA.13 **TRANSLATION OF EURASIAN PATENT.** No translation of the Eurasian patent into the languages of the EAPC Contracting States is required after the grant of the Eurasian patent. A translation should be furnished only by the plaintiff to a national court or other competent national authority upon the latter's request in connection with a litigation procedure in a given EAPC Contracting State. Any decision of a court or other national authority in respect of the Eurasian patent has effect only in the territory of that Contracting State.
- EAPC Art. 17(3) EA.14 **EFFECT OF EURASIAN PATENT.** Upon grant, the Eurasian patent has effect in the territory of all EAPC Contracting States from the date of its publication by the EAPO. Its effect may, however, be discontinued at any time in any State through non-payment of the corresponding national annual [maintenance](#) fee.
- EA.15 **MAINTENANCE OF EURASIAN PATENT.** The owner of a Eurasian patent must designate, by name, each EAPC Contracting State in which he wishes the effect of the Eurasian patent to be maintained. The designation concerned must be addressed to the EAPO and must be made at the same time as the corresponding annual fee is paid (see next paragraph).
- EAPC Art. 17
18(3)
EAPR Rule 40(7)
EASF Rule 10 EA.16 **ANNUAL FEES.** The maintenance of a Eurasian patent is subject to the payment of annual fees. Such fees must be paid to the EAPO in respect of each EAPC Contracting State in which the applicant wishes to maintain protection. The fees are payable every year, following the grant of the Eurasian patent, [not later than](#) on the anniversary of the international filing date. Payment can still be made together with a 50% surcharge for late payment within a period of grace of six months computed from the said anniversary.
- PCT Art. 25
PCT Rule 51 EA.17 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. If, upon review under PCT Article 25, the EAPO denies an error or omission on the part of the receiving Office or the International Bureau, an appeal against this decision may be lodged with the EAPO.
- PCT Art. 24(2)
48(2) EA.18 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

EAPR Rule 37 EASF Rule 8(1)	<p>EA.19 FURTHER PROCESSING. Further processing of the application may be requested where the applicant has missed a time limit during the international or the national phase in respect of which further processing is not ruled out under EAPR Rule 37(4). If the request is granted, this has the effect that the legal consequence of the failure to observe the time limit is deemed not to have ensued. It must be made by completing the omitted act, as applicable, and payment of the fee for further processing within two months from the expiration of the time limit which has not been observed.</p>
PCT Rule 49.6 82bis EAPR Rule 39 EASF Rule 8(2)	<p>EA.20 REESTABLISHMENT OF RIGHTS. Reestablishment of rights may be requested where the applicant lost his rights because he was unable to observe a time limit during the international phase or before the EAPO. The EAPO reinstates the rights if it finds that any delay in meeting that time limit was unintentional. A request for reestablishment must be filed in writing within two months from the removal of the cause of non-compliance with the time limit but not later than 12 months from the expiration of the time limit which has not been observed whichever time limit expires earlier. The right to the Eurasian patent lost by non-payment of maintenance fees may be reestablished on the request of the patent owner, filed prior to the expiry of a 3-year period, starting from the date of expiry of the period for payment of the maintenance fees which are due. Within the said time limits, the omitted act must be completed, the fee for reestablishment of rights (see Annex EA.I) must be paid and the request must state the grounds on which it is based and must set out the facts on which it relies. However, reestablishment of rights is not applicable to the time limits for requesting the reestablishment of rights or restoration of priority right as well as for the time limit for payment of the additional fee for a six-month period of grace for the payment of the annual fees for maintenance of the Eurasian patent and the time limit for filing with the EAPO a notice of opposition against a granted Eurasian patent.</p>
PCT Rule 49ter EAPR Rule 6(1)	<p>EA.21 RESTORATION OF THE RIGHT OF PRIORITY. Where the international application was filed within two months from the end of the period for claiming priority on an earlier application, a request for restoration of the right of priority may be made to the EAPO in accordance with the national law (see National Phase, paragraphs 6.006 - 6.011). For the request to be granted, the EAPO must be satisfied that the failure to file the application within the 12-month priority period was unintentional. A fee for the restoration of the right of priority must be paid (see Annex EA.I).</p>
EAPC Art. 16 EAPR Rule 60 EASF Rule 4(2)	<p>EA.22 CONVERSION OF EURASIAN APPLICATION: TIME LIMIT. If the applicant receives a notice of refusal to grant a Eurasian patent or a notice of final refusal in appeal, he has the right to file a request with the EAPO designating those EAPC Contracting States in which he wishes to obtain national patents according to the applicable national procedures. There is no special form for such request. The request must be filed before the expiration of six months from the date on which the applicant receives notification of the refusal to grant a Eurasian patent or of the decision to reject the appeal.</p>
EAPC Art. 16(2)	<p>EA.23 The Eurasian patent application in respect of which the conversion has been made will be treated in each EAPC Contracting State in which national protection is sought as a regular national application filed with its national patent Office and having the filing date and the priority date, if any, of the Eurasian application. The application will be further processed by the national patent Offices concerned, provided that the applicant pays any prescribed national fees to the said patent Offices.</p>

FEES¹**(Currency: Russian rouble)**

National fee for an international application, comprising:

(i) unitary procedural fee (for filing, search, publication and other processing) for one invention	28,000
(ii) claim fee for each claim:	
— in excess of five	3,700
— in excess of 20	4,000
— in excess of 50	5,000
Examination fee:	
— for one invention	30,000
— for a group of inventions including one independent claim:	30,000
— additional fee for the second independent claim	20,000
— additional fee for each independent claim in excess of two claims	10,000
Fee for grant of a Eurasian patent	18,000
Fee for lodging an appeal	20,000
Maintenance fees ²	amount equal to the sum of the fees payable for maintaining the Eurasian patent for the EAPC Contracting States concerned ³
Fee for conversion of a Eurasian application into a national patent application	6,400
Fee for reestablishment of rights	25,000
Fee for restoration of the priority right	16,000

How can payment of fees be effected?

1. Payments should be effected in Russian Roubles. They may also be made in US dollars or euro for the equivalent amounts according to the official exchange rate set by the Central Bank of the Russian Federation on the date of payment.
2. All fees, including maintenance fees, are payable to the Eurasian Patent Organization.
3. All payments must indicate the complete application number (regional, if already known; international, if the regional number is not yet known), the name of the applicant and the type of fee being paid.

¹ Fees are subject to periodical changes. For the currently applicable amounts of fees, reference should be made to the Statute on Fees of the Eurasian Patent Organization. Fees are reduced by 90% where the applicant or, if there are two or more applicants, each applicant is a natural person who is a national or resident of any of the States party to the Eurasian Patent Convention, by 70% where the applicant or, if there are two or more applicants, each applicant is a state science or a state educational organization of any of the States party to the Eurasian Patent Convention, by 10% where the applicant or, if there are two or more applicants, each applicant is a legal person with a principal place of business in any of the States party to the Eurasian Patent Convention and by 50% where the applicant or, if there are two or more applicants, each applicant is a natural person who is a national or resident of any of the states listed on the Office's website at: www.eapo.org/ru/documents/norm/prilposh_2019.html.

² The amounts of the fees for maintenance of a Eurasian patent with respect to each State party to the Eurasian Patent Convention are as fixed by each State. These fees are payable to the Office for each State in which the patent owner wishes the effect of the patent to continue, in each of the years following the grant by the anniversary of the international filing date.

³ Provisional reduced tariffs according to Rule 40(4) EAPR are not applicable.

4. Fees may be paid (mentioning the Eurasian Patent Organization as beneficiary) to the following accounts:
- (a) For payments in US dollars or euro:
 - Account No. in USD: 40807840400010006521
 - Account No. in EUR: 40807978900011675080
 - at UNICREDIT BANK, MOSCOW, SWIFT – IMBKRU MM
 - Address: 9 Prechistenskaya Emb., Moscow, 119034, Russian Federation.
 - (b) For payments in Russian roubles:
 - Beneficiary: The Eurasian Patent Organization INN 9909057949, KPP 773863001
 - Bank code: AO UniCredit Bank Moscow
 - Beneficiary account: 40807810400010493672
 - Correspondent bank account: 30101810300000000545
 - BIC number: 044525545



Перевод международной заявки на региональную стадию рассмотрения в Евразийском патентном ведомстве, действующем в качестве указанного или выбранного ведомства

В Евразийское патентное ведомство

**Россия, 109012, Москва,
Малый Черкасский пер., 2/6**

1	<input type="checkbox"/>	Является оригиналом ранее поданной формы, направленной по факсимильной связи	Дата направления
2	Заполняется Евразийским патентным ведомством (ЕАПВ)		
	Входящий номер ЕАПВ	Номер евразийской заявки	Дата поступления заявки в ЕАПВ
		Номер дела заявителя или его представителя	
3	Номер международной заявки	PCT/	Дата международной подачи
	Номер публикации международной заявки	WO	Дата публикации международной заявки
4	Название изобретения:		
5	Заявитель		
	Фамилия, имя, отчество (если оно используется) или наименование заявителя	Код страны местожительства или местонахождения по стандарту ВОИС ST.3	Номер телефона
	Адрес:		Номер факса
		Регистрационный номер заявителя в ЕАПВ	
6	Другие заявители <input type="checkbox"/> Заявители, не указанные на этом листе, указаны на дополнительном листе заявления		
	Фамилия, имя, отчество (если оно используется) или наименование заявителя	Код страны местожительства или местонахождения по стандарту ВОИС ST.3	Номер телефона
	Адрес:		Номер факса
		Регистрационный номер заявителя в ЕАПВ	
	Фамилия, имя, отчество (если оно используется) или наименование заявителя	Код страны местожительства или местонахождения по стандарту ВОИС ST.3	Номер телефона
	Адрес:		Номер факса
		Регистрационный номер заявителя в ЕАПВ	
7	Ходатайствующ(ем):		
	<input type="checkbox"/> о более раннем начале рассмотрения международной заявки в ЕАПВ в соответствии с правилом 71(2) Патентной инструкции к ЕАПК <input type="checkbox"/> с даты получения прилагаемой к этой форме документов либо <input type="checkbox"/> с (указать дату)		
	<input type="checkbox"/> о проведении экспертизы евразийской заявки по существу (ст. 15(5) Конвенции)		
8	Представитель(и) заявителя		
	Указанное(ые) ниже лицо(а) назначено (назначены) заявителем (заявителями) действовать от его (их) имени в ЕАПВ.	Является(ются): <input type="checkbox"/> Патентным(и) поверенным(и) <input type="checkbox"/> Общим представителем	
	Фамилия, имя, отчество (если оно используется)	Номер телефона	
	Адрес:	Номер факса	
		Регистрационный(е) номер(а) патентного(ых) поверенного(ых) в ЕАПВ	
9	Адрес для переписки (Полный почтовый адрес) <input type="checkbox"/> Прошу (просим) переписку вести по адресу представителя заявителя		
	Фамилия, имя, отчество (если оно используется) или наименование адресата		Номер телефона
			Номер факса

Изобретатель(и)	<input type="checkbox"/> Изобретатели, не указанные на этом листе, указаны на дополнительном листе к этой форме	10
Фамилия, имя, отчество (если оно используется)	Код страны местожительства по стандарту ВОИС ST. 3	
Я (мы) прошу (просим) не указывать меня (нас) как изобретателя(ей) при публикации сведений о евразийской заявке, о выдаче евразийского патента на изобретение.		
Подпись(и) изобретателя(ей)		
Прошу (просим) начать рассмотрение международной заявки в ЕАПВ на основе:		
описания изобретения: <input type="checkbox"/> первоначально поданного; <input type="checkbox"/> измененного в соответствии со статьей 34(2)(b) Договора о патентной кооперации (РСТ)		
формулы изобретения: <input type="checkbox"/> первоначально поданной; <input type="checkbox"/> измененной в соответствии со статьей 19 РСТ; <input type="checkbox"/> измененной в соответствии со статьей 34(2)(b) РСТ		
чертежей: <input type="checkbox"/> первоначально поданных; <input type="checkbox"/> измененных в соответствии со статьей 34(2)(b) РСТ		
<input type="checkbox"/> изменений, сделанных при переводе международной заявки на региональную стадию; <input type="checkbox"/> описания изобретения; <input type="checkbox"/> формулы изобретения; <input type="checkbox"/> чертежей		
Прошу (просим) опубликовать перевод международной заявки на русский язык, содержащий:		
формулу изобретения: <input type="checkbox"/> первоначально поданную; <input type="checkbox"/> измененную в соответствии со статьей 19 РСТ;		
Перечень прилагаемых документов:		
Наименование документа (нужное отметить)	Кол-во листов в одном экземпляре	Кол-во экземпляров
Описание изобретения на русском языке: <input type="checkbox"/> первоначально поданное; <input type="checkbox"/> измененное в соответствии со статьей 34(2)(b) РСТ		
Формула изобретения на русском языке: <input type="checkbox"/> первоначально поданная; <input type="checkbox"/> измененная в соответствии со статьей 19 РСТ; <input type="checkbox"/> измененная в соответствии со статьей 34(2)(b) РСТ		
Чертеж(и) и иные материалы с надписями на русском языке: <input type="checkbox"/> первоначально поданные; <input type="checkbox"/> измененные в соответствии со статьей 34(2)(b) РСТ		
Изменения на русском языке, сделанные при переводе международной заявки на региональную стадию: <input type="checkbox"/> описания изобретения; <input type="checkbox"/> формулы изобретения; <input type="checkbox"/> чертежей		
Реферат на русском языке		
Заверенная в получающем ведомстве копия международной заявки		
Списки последовательностей нуклеотидов и/или аминокислот		
Перевод на русский язык документа о депонировании микроорганизма		
Перевод на русский язык деклараций, предусмотренных правилом 51bis.1 Инструкции к РСТ (указать)		
Документ(ы), относящийся(еся) к передаче права на евразийскую заявку (указать)		
Документ, подтверждающий наличие оснований для уменьшения размера пошлины		
Доверенность, удостоверяющая полномочия представителя		
Лист расчета пошлин:		
Документ(ы) об уплате пошлин: <input type="checkbox"/> единой процедурной пошлины <input type="checkbox"/> за каждый пункт формулы изобретения свыше пятого <input type="checkbox"/> за проведение экспертизы		
Иные документы (указать)		
<input type="checkbox"/> Сопровождается копией на машиночитаемом носителе <input type="checkbox"/> Копия документов заявки на русском языке на машиночитаемом носителе является точной копией текста в печатном виде	Штамп ЕАПВ и дата поступления заявления	16
Подпись(и) и дата		15
(Подпись(и) заявителя(ей) или его (их) представителя(ей) с расшифровкой)	Подпись лица, принявшего заявление	

