

State Committee on Science and Technology
of the Republic of Belarus



Государственный комитет по науке
и технологиям Республики
Беларусь

**NATIONAL CENTER OF
INTELLECTUAL
PROPERTY**

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**НАЦИОНАЛЬНЫЙ ЦЕНТР
ИНТЕЛЛЕКТУАЛЬНОЙ
СОБСТВЕННОСТИ**

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Mr. Francis Gurry,
Director General
W I P O

Dear Mr. Gurry,

Referring to the circular C. 8653 of March 16, 2017 the National Center of Intellectual Property of the Republic of Belarus has reviewed the information available in the Internet at the links mentioned in the circular and informs you on the following.

The list of exceptions and limitations to patent rights contained in the revised Annex II of document SCP/12/3 Rev.2 "Report on the International Patent System" should be supplemented with the right of posterior use.

Reference:

In accordance with Article 35 of the Law of the Republic of Belarus of December 16, 2002 "On Patents for Inventions, Utility Models and Industrial Designs", if the effect of the patent has been terminated as a result of non-payment of the patent fee for maintaining the patent in force within the established time limit and the term of validity of the patent has not expired, so at the request of the patent owner the effect of such patent may be restituted by the patent authority subject to payment of the patent fee indebtedness and the patent fee for restituting the effect of the patent in the established amount.

Any natural or legal person that from the moment of loss of effect of the patent for invention, utility model and industrial design till the date of its restitution used in the territory of the Republic of Belarus an identical solution or made preparations necessary for that preserves the right to its further gratuitous use without broadening the scope of such use (the right of posterior use).

Other information regarding the applicable national patent legislation contained at the links referred to in the circular remains valid.

Best regards,



Piotr Broukin
Director General