

In accordance with the letter of the World Intellectual Property Organization (hereinafter – WIPO) of January 7, 2019, No. C.8828, the National Center for Intellectual Property (hereinafter – NCIP) informs has no proposals to additional materials for the preparation of documents in accordance with the decision of the Standing Committee on the Law of Patents (hereinafter – SCP), adopted at its twenty-ninth session, which was held in Geneva from December 3 - 6, 2018.

On updating the information posted on the WIPO website regarding the Republic of Belarus at [https://www.wipo.int/scp/en/annex\\_ii.html](https://www.wipo.int/scp/en/annex_ii.html), NCIP informs on the following.

#### **Section 6 “Exclusions from Patentable Subject Matter”.**

From paragraph 4, the words “Algorithms and” shall be deleted (paragraph 4 of part 1 of the Law of the Republic of Belarus of December 16, 2002 No. 160-Z “On Patents for Inventions, Utility Models, Industrial Designs”).

#### **Section 7 “Exceptions and Limitations of the Rights”.**

Paragraph 7 shall be supplemented with the following sentence (paragraph 1 of Article 39 of the Law of the Republic of Belarus of December 16, 2002 No. 160-Z “On Patents for Inventions, Utility Models, Industrial Designs”):

“The amount of permitted use of an invention, utility model, industrial design by a person, having the right of prior use, established prior to their priority date or conditioned by preparations made prior to that date, shall be reflected in the agreement concluded by that person with a patent holder, and if it is impossible to reach an agreement, it shall be determined by the court.”;

Paragraph 8 shall be supplemented with the following sentence (paragraph 2 of Article 35 of the Law of the Republic of Belarus of December 16, 2002 No. 160-Z):

“The scope of the permitted use of an invention, utility model, industrial design by a person, having an after-use right, established prior to the date of restoration of the patent or stipulated by preparations made before that date, shall be reflected in an agreement concluded by that person with a patent holder, and if it is impossible to reach an agreement, it shall be determined by the court.”;

The section shall be supplemented with paragraphs 10 and 11 of the following content (paragraphs 4 and 5 of Article 10 of the Law of the Republic of Belarus of December 16, 2002 No. 160-Z):

“10. Conduct preclinical studies and clinical trials of a medicinal product containing the invention, or an experiment on such a medicinal product.

11. Conduct a study of a pesticide or agrochemicals containing an invention, or an experiment on such a pesticide or agrochemicals for the purpose of their state registration.”.