

Armenia

Existing practice and planned relief mechanisms for patent applicants and owners affected by "force majeure" circumstances.

Existing practice

The Armenian Intellectual Property Agency does not have a specific emergency preparedness plan.

However, Armenian patent legislation includes a number of mechanisms to provide the patent applicants or owner with a wide range of opportunities in case of failure to meet time limits.

According to the Art.39(2) of the Law of the Republic of Armenia on Patents of January 09, 2005, where the applicant or owner fails to meet a time limit prescribed by the Armenian Office for performing a procedural act with a view to obtaining a Armenian patent, Armenian Office may restore his rights provided that he pays the prescribed additional fee. The request for restoration of missed time limits may be submitted within six months after the expiration of the established time limits accompanied with a document confirming the payment of the stated fee.

The Armenian Office may yet restore his rights provided that he presents legitimate reasons for the delay. Decisions concerning whether a reason is legitimate are made on a case-by-case basis.

The Armenian Patent Office is ready to render assistance to applicants or their representatives who fail to meet requirements or use applicable procedures in consequence of terrorist attacks throughout the world or potential avian flu pandemics.

Planned relief mechanisms

The Armenian Patent Office is planning to include into Armenian patent legislation provisions concerning relief in respect of time limits (Article 11 PLT 2000) and reinstatement of rights after a finding of due care or unintentionality (Article 12 PLT 2000).

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