

## **The Survey on the Lisbon System (Replies of the Russian Federation)**

### **1. Question 1**

It is considered to be unreasonable to revise the basis for protection in the country of origin in Article 1(2) of the Agreement as according to Rule 5(2) (a) (vi) of the Regulations under the Lisbon Agreement the possibilities to protect “appellation of origin” in the country of origin are practically unlimited. Protection may be carried out not only on a basis of specific (*sui generis*) legislation but on a basis of any administrative regulations, judicial decisions or registrations as well.

### **2. Question 2**

As the Civil Code of the Russian Federation provides for special provisions relating to ensuring legal protection of “appellation of origin” we consider it preferable to maintain the definition contained in Article 2.

### **3. Question 3**

It is considered to be reasonable to amend Article 3 of the Lisbon Agreement with a view to ensure the legal protection of any products, not only identical or similar products. It can be explained by value of the object that is meant for accompanying traditional products that have certain properties defined by geographical environment (natural environment and (or) human factor) place of origin (place of manufacture). A criterion of extending protection is the fact that imitation of “appellation of origin” may mislead the customer relating to products or manufacturer thereof.

### **4. Question 7**

It is considered to be reasonable to maintain the Article 6 (c) as it is aimed at ensuring the effective legal protection of “appellation of origin” and not allowing it to transfer into generic names.

**5. Questions 5, 6, 8, 9 and 10** in our opinion these questions relate to Member-States of the Lisbon Agreement as they concern the procedure of international registration of “appellation of origin”.