

## Confidentiality of Communication between Clients and their Patent Advisors

### Republic of Moldova

According to the Government Decision No.541 approving the Regulations on the Activity of the Authorized Intellectual Property Attorneys of the Republic of Moldova of July 18, 2011, which entered into force on July 22, 2012, patent attorneys shall exercise their powers according to the principles of good faith, honesty, trust and confidentiality. According to Article 1852, paragraph 1 of the Criminal Code of the Republic of Moldova, prior to the official publication of data from the registration request, disclosure of information on IP by a person to whom such information was entrusted shall be punished.

In the relationship between the customer and the attorney, according to p.10, 13-17 of the Government Decision No. 541 from July 18, 2011 approving the Regulations on the Activity of the Authorized Intellectual Property Attorneys:

- The authorized attorney must demonstrate honesty, probity, fairness, correctness, sincerity and confidentiality in the relationship with his/her customer, characteristics that motivate the customer's decision to engage him/her.
- The authorized attorney is bound to keep the confidentiality of any data, including personal data, and information that becomes known to him/her directly or indirectly from his/her customer, whether directly linked to or not by the assumed commitment. He/she cannot disclose this information both during the commitment and after its termination, except with the express consent of his/her customer.
- The right and obligation to maintain confidentiality apply to all information acquired during the exercise of the profession and will have to be respected even after the settlement of the commitment, except in cases expressly provided for by the law.
- The authorized attorney cannot pass on to any third party any document received from his/her customer, such as documents, printed or electronic files, samples and models, without the consent of the customer.
- The obligation of confidentiality implies an active role of the authorized attorney in ensuring that such confidentiality is preserved, including by the persons he or she employs in order to fulfil a particular commitment or to carry out his/her professional activity in general.
- Among the customers represented jointly, the confidentiality rule does not apply unless the parties decide otherwise.