With regard to certain aspects of the applicable or regional patent law, national and regional laws on opposition systems and other administrative revocation and invalidation mechanisms as well as national and regional laws and practices regarding the scope of client attorney privilege and its applicability to patent advisors it is necessary to note that we have already provided the information on these topics and it is available in English on the WIPO web-site.

Nowadays the issues related to the status of patent attorneys are being discussed at different levels of professional communities and federal executive bodies. Under the Council of Federation of the Federal Assembly of the Russian Federation was established a working group of the Council on the issues of intellectual property, which considers the draft modifications to Federal Law № 316 - FZ of December 30, 2008 «About patent attorneys». The issue of introduction of patent attorney's professional activity standard is being worked out at the moment.

With regard to your request for any additional inputs on exception regarding acts for obtaining regulatory approval from authorities it is necessary to note that earlier in the framework of work on the topic «Limitations and Exemptions to patent rights» Rospatent had already provided the information that included exceptions in respect of actions related to obtaining of an approval from governmental bodies.

The article 1359 of the Civil Code of the Russian Federation does not refer to the actions associated with carrying out the experiment on the product, in which the invention in the field of pharmaceuticals is used, to the violation of the exclusive rights to such an invention.

Federal Law № 61- FZ of April 12, 2010 «On Medicine Circulation» permits a state registration of generic drugs before the expiration of the patent life on the original medical drug. The action on state registration of generics is also not a violation of the exclusive rights to the invention relating to the original drug for medical use. At the same time the introduction of generics into circulation

before the expiration of the exclusive right to a patented original drug is not allowed.

With regard to point (ii) of your request (a further study on inventive step) it should be noted that in evaluating the inventive step of the invention Article 1350 of the Code as in force of 2014, as well as Administrative regulations approved by the Order of Ministry of Economic Development of the Russian Federation № 315 of May 25, 2016. The information about new statutory instruments and about the evaluator of inventive step was set forth earlier by Rospatent in the Questionnaire of WIPO on the quality of patents.

At the moment the Guidelines on administrative procedures and actions for the provision of state services on the state registration of the invention and granting of a patent for an invention and its duplicate copy are being developed. When updating the approach to assessing the inventive step, the practice of Offices provided at the Standing Committee on patent rights will be taken into account.

Sincerely yours,

International cooperation department

Federal Service for intellectual property (Rospatent)