

(i) **Certain aspects of the applicable national or regional patent law (Russian Federation):**

**Prior Art**

1. Any information made available to the public before the filing date (priority date).
2. Contents of published Russian Federation patent ~~and utility model~~ applications for inventions, utility models and industrial designs, the granted patents and grants, international and ~~of~~ Eurasian applications with an earlier filing date (priority date), and published information thereon.

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**Novelty**

The invention is not anticipated by the prior art. The prior art consists of any information made available to the public before the filing date (priority date), and the contents of published Russian Federation national ~~patent and utility model~~ applications for patents, utility models and industrial designs, and granted patents, international and of Eurasian applications with an earlier filing date (priority date), and published information thereon.

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**Inventive Step (Obviousness)**

An invention is not obvious to a person skilled in the art having regard to the state of the art. The state of the art consists of any information made available to the public before the filing date (priority date).

**Grace Period**

1. Disclosure ~~is not to be~~ is not taken into account in determining patentability if it occurred within six months before the filing date by: (a) the inventor, (b) or applicant, (c) any person who directly or indirectly obtained this information from the inventor or applicant (including as a result of exposing the invention at an exhibition), thereby making information about the essence of the invention publicly available, a person who obtained information from the inventor or applicant.
2. The burden of proof is on the applicant.

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**Sufficiency of Disclosure**

*No modifications*

The description shall disclose the claimed invention in sufficient detail for it to be carried out.

**Exclusions from Patentable Subject Matter**

*No modifications*

1. Discoveries.
2. Scientific theories and mathematical methods.
3. Proposals concerning solely the outward appearance of manufactured articles and intended to satisfy aesthetic requirements.
4. Rules and methods of games, intellectual or business activities.
5. Computer programs.
6. Ideas on presentation of information.

7. Varieties of plants, breeds of animals and biological methods of obtaining thereof with the exception of microbiological methods and products obtained by the use of such methods.
8. Layout-designs (topographies) of integrated circuits.
9. Methods of cloning of a human being.
10. Methods of modification of the genetic integrity of cells of the embryonic line of a human being.
11. Use of human embryos for industrial and commercial purposes.
12. Other proposals that are contrary to public interest, principles of humanity and morality.

### **Exceptions and Limitations of the Rights**

#### *No modifications*

1. Certain uses concerning foreign vehicles (river and marine, air, automobile and railway transport, spacecraft) which are temporarily or accidentally located on national territory.
2. Scientific research or experiments.
3. Use in emergency situations (natural calamities, catastrophes, accidents), subject to notification and payment of a reasonable remuneration.
4. Use for private, family, domestic or other non-business purposes not for profit.
5. Occasional preparation of medicaments using the invention in pharmacies based on physicians' prescriptions.
6. Certain uses of products put on the market in the Russian Federation by, or with authorization of, the owner.
7. Continued prior use by a person, who before the priority date had conceived and was using in good faith within the territory of the Russian Federation the identical solution or made the necessary preparations for such use.
8. Compulsory licenses

### **(ii) National and regional laws on opposition systems and other administrative revocation and invalidation mechanisms**

[http://www.wipo.int/scp/en/revocation\\_mechanisms/](http://www.wipo.int/scp/en/revocation_mechanisms/)

#### *To be added to the exiting text:*

[The new rules for handling administrative disputes by the Rospatent Chamber of Patent Disputes came into force on September 6, 2020. Rules for Administrative Review and Resolution of Disputes by the Federal Executive Body on Intellectual Property have been approved by the Order N 644/261 of the Ministry of Science and Higher Education and the Ministry of Economic Development of the Russian Federation on April 30, 2020.](#)

### **(iii) International worksharing and collaborative activities for search and examination of patent applications**

<http://www.wipo.int/patents/en/topics/worksharing/>

#### **Sharing Search and Examination Work Products**

Since 1993, Rospatent and the German Patent and Trade Mark Office have been quarterly exchanging information searches for matching inventions and/or utility models.

Furthermore, since 2013, the offices of Russia, China and Mongolia have been holding regular annual trilateral seminars on various aspects of intellectual property, including patent examination and other issues covered by patent law.

In 2014, Rospatent and Japan Patent Office signed the Policy on the use of Exchanged Electronic Intellectual Property Information Data. The offices regularly organize an examiners' exchange program, devoted to the discussion of patent application examination in certain technical fields.

In 2016, Rospatent and Korean Intellectual Property Office signed the Memorandum of Understanding on Intellectual Property Data Exchange. At the moment the Offices are working on launching the Collaborative Search Pilot Program (CSP), which will allow them to share the information on prior art during the substantive examination and expedite the examination process.

In 2018, Rospatent and China National Intellectual Property Administration signed the Memorandum of Understanding on Intellectual Property Data Exchange.

Furthermore, Rospatent provides the access to its patent search system, PatSearch, to other IP offices. At the moment the Offices of Belarus, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan and the Eurasian Patent Office have the access to the system.

#### **Regional/Plurilateral frameworks**

- (vi) **Compilation of laws and practices regarding the scope of client attorney privilege and its applicability to patent advisors**

[https://www.wipo.int/scp/en/confidentiality\\_advisors\\_clients/national\\_laws\\_practices.html](https://www.wipo.int/scp/en/confidentiality_advisors_clients/national_laws_practices.html)

The file is to be modified, see attachment (Patent Attorneys (Russian Federation)).