

# Industrial Property Protection in Central and Eastern Europe and in Central Asia

*Country profiles prepared by the  
International Bureau of WIPO*



World Intellectual Property Organization  
Geneva 1995



**INDUSTRIAL PROPERTY PROTECTION  
IN CENTRAL AND EASTERN EUROPE  
AND IN CENTRAL ASIA**

*Country profiles prepared by the International Bureau of WIPO*

**WIPO PUBLICATION**  
No. 732(E)

ISBN 92-805-0545-9

**WIPO 1995**

## FOREWORD

As a consequence of the recent changes in Central and Eastern Europe and in Central Asia, the industrial property systems in those areas have undergone fundamental changes.

This publication briefly reports on the current situation with respect to the protection of industrial property in 27 countries in Central and Eastern Europe and in Central Asia. It is presented in the form of separate chapters for each country ("country profiles"). In addition to information concerning membership in WIPO treaties, each country profile summarizes the major provisions of industrial property laws, including, where applicable, provisions concerning the confirmation of applications filed and rights granted in predecessor States. A special chapter gives information on the Eurasian Patent Convention, which provides for the grant of regional patents in its Contracting States.

The country profiles contained in this publication reflect the situation existing on December 1, 1995.



Arpad Bogoch

Director General

World Intellectual Property Organization

Geneva, December 1995



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**List of Abbreviations of the Treaties Administered by WIPO**  
**Referred to in this Publication**

(in the order of appearance in each country profile)

"WIPO Convention" means the Convention Establishing the World Intellectual Property Organization

"Paris Convention" means the Paris Convention for the Protection of Industrial Property

"Madrid Agreement (Indications of Source)" means the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods

"Madrid Agreement (Marks)" means the Madrid Agreement Concerning the International Registration of Marks

"Hague Agreement" means the Hague Agreement Concerning the International Deposit of Industrial Designs

"Nice Agreement" means the Nice Agreement Concerning the International Classification of Goods and Services for the Purpose of the Registration of Marks

"Lisbon Agreement" means the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration

"Locarno Agreement" means the Locarno Agreement Establishing an International Classification for Industrial Designs

"PCT" means the Patent Cooperation Treaty

"Strasbourg Agreement" means the Strasbourg Agreement Concerning the International Patent Classification

"Vienna Agreement" means the Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks

"Budapest Treaty" means the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure

"Nairobi Treaty" means the Nairobi Treaty on the Protection of the Olympic Symbol

"UPOV" means the International Convention for the Protection of New Varieties of Plants (not administered by WIPO but by the International Union for the Protection of New Varieties of Plants (UPOV))

"Berne Convention" means the Berne Convention for the Protection of Literary and Artistic Works

**Note:** Attention is drawn to WIPO publication 423(E), which contains full information as regards the specific Act of a convention or agreement by which a particular country is bound; the said publication is regularly updated.





## ALBANIA (AL)

Official Name:	Republic of Albania
Capital:	Tirana
Population:	3,300,000
Sq. Km.:	28,700
Official Language:	Albanian

### Industrial Property Office:

Patents and Trademarks Office	Telephone: +(355-42) 27 975
Committee of Science and Technology	25 800
4 Mine Peza Street	Telefacsimile: +(355-42) 27 975
Tirana	

Head: Mr. Albert Kushti, Director

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since June 30, 1992; Paris Convention since October 4, 1995; Madrid Agreement (Marks) since October 4, 1995; PCT since October 4, 1995; Berne Convention since March 6, 1994.

### 2. Legislation

(a) Patents: Law on Industrial Property of April 27, 1994.

Main features:

- (i) Form of Protection: Patent (Article 2).
- (ii) Filing of Applications: Foreign applicants must act through patent agents in Albania (Article 98).
- (iii) Examination: Formal requirements (Article 21).
- (iv) Opposition: With the Board of Appeal during the 9 months from publication of the grant (Article 26).
- (v) Duration: 20 years from filing date (Article 28).

## Albania

(b) Industrial Designs: Law on Industrial Property of April 27, 1994.

Main features:

- (i) Form of Protection: Registration (Article 2).
- (ii) Filing of Applications: Foreign applicants must act through patent agents in Albania (Article 98).
- (iii) Exclusions: Industrial designs contrary to public order or morality (Article 59).
- (iv) Conditions of Patentability: Novelty, usability in industrial or handicraft products (Article 59).
- (v) Examination: Formal requirements (Article 65).
- (vi) Opposition: None.
- (vii) Duration: 5 years from filing date with possibility of extension for two 5-year periods (Article 68).

(c) Trademarks: Law on Industrial Property of April 27, 1994.

Main features:

- (i) Registrable Marks: Trademark and Service Marks (Article 1).
- (ii) Filing of Applications: Foreign applicants must act through patent agents in Albania (Article 98).
- (iii) Examination: Formal requirements (Article 81).
- (iv) Duration: 10-years from filing date with possibility of renewal for further 10-year periods (Article 86).

## ARMENIA (AM)

Official Name:	Republic of Armenia
Capital:	Yerevan
Population:	3,400,000
Sq. Km.:	29,800
Official Language:	Armenian

### Industrial Property Office:

Armenian Patent Office	Telephone: +(3742) 520 673
Government House	Telefacsimile: +(3742) 561 126
3, Central Avenue	580 631
Yerevan 375010	

Head: Prof. Sarkis L. Khantardjian, President

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since April 22, 1993; Paris Convention since December 25, 1991 (Soviet Union since July 1, 1965); Madrid Agreement (Marks) since December 25, 1991 (Soviet Union since July 1, 1976); PCT since December 25, 1991 (Soviet Union since March 29, 1978).

Declaration of continued application in Armenia of the Paris Convention, Madrid Agreement (Marks) and the PCT deposited on May 17, 1994.

### 2. Legislation

(a) Patents: Law on Patents of August 21, 1993.

Main features:

- (i) Form of Protection: Patent (no inventor's certificate, see, however, 4(a)) (Article 4); provisional patent (Article 23).
- (ii) Filing of Applications: Request in Armenian. Other elements of the application can be in other languages; translation must be submitted within 2 months. Foreign applicants must act through patent agents admitted to practice before the Armenian Patent Office (Article 18).
- (iii) Grace Period: 12 months prior to filing date (Article 5).

## Armenia

- (iv) Examination: Formal requirements within 4 months. Conditions of patentability at request of the applicant or third party within 3 years from filing date (Article 23).
  - (v) Publication: After registration (Article 29).
  - (vi) Opposition: With the Appeal Board of the Armenian Patent Office, during term of protection (Article 30).
  - (vii) Duration: 20 years for patents (Article 4); 5 years for provisional patents from filing date (Article 23).
  - (viii) Compulsory Licenses: For reasons of national defense or in emergency cases, or in case of non-use or insufficient use, during 4 years from grant of the patent, upon decision by the Government (Article 16).
- (b) Industrial Designs: Law on Patents of August 21, 1993.

Main features:

- (i) Form of Protection: Industrial design patent (Article 4).
  - (ii) Filing of Applications: Request in Armenian. Other elements of the application can be in other languages; translation must be submitted within 2 months. Foreign applicants must act through patent agents admitted to practice before the Armenian Patent Office (Article 18).
  - (iii) Conditions of Patentability: Novelty, originality, industrial applicability (Article 7).
  - (iv) Examination: Formal requirements within 4 months (Article 25).
  - (v) Opposition: With the Appeal Board of the Armenian Patent Office, during term of protection (Article 30).
  - (vi) Duration: 15 years from filing date (Article 4).
  - (vii) Compulsory Licenses: For reasons of national defense or in emergency cases, or in case of non-use or insufficient use, during 4 years from grant of the patent, upon decision by the Government (Article 16).
- (c) Trademarks: Provisional Regulations on Trademarks and Service Marks of August 19, 1995.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 1).



## Armenia

- (ii) Filing of Applications: Request in Armenian (Article 13). If other elements are filed in another language, translation into Armenian must be submitted within 2 months. Foreign applicants must act through patent agents admitted to practice before the Armenian Patent Office (Article 11).
- (iii) Examination: Formal requirements and absolute grounds of refusal and prior rights (Articles 16 and 17).
- (iv) Duration: 10 years from filing date with possibility of renewal for further 10-year periods (Article 21).
- (v) Use Requirement: 5 years (Article 26).

### 3. Announcements

Announcement on the Protection of Industrial Property in Armenia published in *Industrial Property*, July/August 1994.

### 4. Time Limits for Confirming Applications and Rights

Time limits for re-filing/re-registration with the Armenian Patent Office of applications filed and titles granted in the former Soviet Union (further processing according to Armenian legislation):

#### (a) Patents and Inventors' Certificates:

- (i) Applications: January 1, 1995, for applications filed before December 8, 1992, with the Patent Office of the Russian Federation.
- (ii) Patents: June 30, 1995.
- (iii) Inventors' Certificates: Can be exchanged for an Armenian patent at any time during its validity.
- (iv) PCT Applications Designating the Former Soviet Union:
  - December 31, 1994, or at the latest by the end of the time limits under the PCT for applications not having entered the national phase.
  - December 31, 1994, for applications that have entered the national phase.
  - June 30, 1995, for patents granted on basis of PCT applications.

## Armenia

(v) PCT Applications Irrespective of Designation:

Extension to Armenia possible if filed between December 24, 1991, and July 18, 1994.

(b) Industrial Designs:

(i) Applications: January 1, 1995, for applications filed before August 25, 1993, with the Patent Office of the Russian Federation.

(ii) Industrial Design Patents: June 30, 1995.

(iii) Industrial Design Certificates: Can be exchanged for an Armenian patent at any time during its validity.

(c) Trademarks:

(i) International Registrations: 6 months from notice by the International Bureau for trademarks with territorial extension to the former Soviet Union effective prior to December 25, 1991.

(ii) Registered Trademarks: May 19, 1996.

## AZERBAIJAN (AZ)

Official Name: Azerbaijani Republic  
Capital: Baku  
Population: 7,200,000  
Sq. Km.: 86,600  
Official Language: Azerbaijan

### Industrial Property Office:

Department of Patent and License                      Telephone        +(99412) 94 08 77  
Azerbaijan Republic State Committee                      Telefacsimile: +(99412) 94 08 81  
    on Science and Technology  
S. Vurgun st.24  
370000 Baku

Head: Mr. Nuraddin Babirly, Director

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since December 25, 1995; Paris Convention since December 25, 1995; Madrid Agreement (Marks) since December 25, 1995; PCT since December 25, 1995.

### 2. Legislation

(a) Patents: Law of the Azerbaijani Republic No. 359 of October 28, 1992, on the application of the Laws of the former Soviet Union.

Text of legislation not available; see, however, 4(a).

(b) Industrial Designs:

Text of legislation not available; see, however, 4(b).

(c) Trademarks:

Text of legislation not available; see, however, 4(c).

### 3. Announcements

Announcement on the Protection of Industrial Property in Azerbaijan published in *Industrial Property*, May 1994.

## Azerbaijan

Announcement on the Extension of the Time Limits for the Re-registration of Industrial Property Rights in Azerbaijan published in *Industrial Property and Copyright*, June 1995.

### 4. Time Limits for Confirming Applications and Rights

Time limits for re-filing/re-registration with the Department of Patent and License of applications filed and titles granted in the former Soviet Union (further processing according to Azerbaijan legislation):

(a) Patents and Inventors' Certificates:

(i) Applications: December 31, 1995, for applications filed before August 25, 1992, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.

(ii) Patents: December 31, 1995.

(b) Industrial Designs:

(i) Applications: December 31, 1995, for applications filed before August 25, 1992, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.

(ii) Industrial Design Patents: December 31, 1995.

(c) Trademarks:

(i) Applications: December 31, 1995, for applications filed before August 25, 1992, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.

(ii) Registered Trademarks: December 31, 1995.

## BELARUS (BY)

Official Name:	Republic of Belarus
Capital:	Minsk
Population:	10,300,000
Sq. Km.:	207,700
Official Language:	Byelorussian

### Industrial Property Office:

The Belarus Patent Office	Telephone:	+(375172) 395 053
66, pr. F. Skoriny		+(375172) 394 151
Minsk 220072	Telefacsimile:	+(375172) 394 130

Head: Mr. Valery I. Kudashov, Chairman

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since April 26, 1970; Paris Convention since December 25, 1991 (Soviet Union since July 1, 1965); Madrid Agreement since December 25, 1991 (Soviet Union since July 1, 1976); PCT since December 25, 1991 (Soviet Union since March 29, 1978); Nairobi Treaty since December 25, 1991 (Soviet Union since April 17, 1986).

Declaration of continued application in Belarus of the Paris Convention, Madrid Agreement, PCT, and Nairobi Treaty deposited on April 14, 1993.

### 2. Legislation

- (a) Patents: Law on Patents for Inventions of February 5, 1993, published in *Industrial Property*, October 1993.

Main features:

- (i) Form of Protection: Patent (no inventor's certificate, see, however, 4(a)) (Article 3(1)).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Belarus Patent Office (Article 8(3)).
- (iii) Exclusions: Inventions contrary to public interest, humanitarian principles or morality (Article 1(3)).
- (iv) Grace Period: 12 months prior to filing date (Article 1(4)).



## Belarus

- (v) Examination: Formal requirements within one month from the receipt of the application (Article 12(1)). Conditions of patentability at request of the applicant or third party within 3 years from filing date (Article 14(3)).
  - (vi) Publication: Applications published 18 months after filing date (Article 13(1)).
  - (vii) Opposition: With the Appeal Board, within 6 months from publication of the patent (Article 18(2)).
  - (viii) Duration: 20 years from filing date (Article 3(3)).
  - (ix) Compulsory Licenses: For reasons of defense or public policy and in emergency cases, upon decision by the Council of Ministers (Article 25(1)), and in case of non-use or insufficient use during 5 years from grant of the patent, upon decision by the Patent Tribunal (Article 25(2)).
- (b) Industrial Designs: Law on Industrial Designs of February 5, 1993, published in *Industrial Property*, October/November 1993 and February 1994.

Main features:

- (i) Form of Protection: Patent for industrial design (Article 3(1)).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Belarus Patent Office (Article 8(2)).
- (iii) Exclusions: Solutions contrary to public interest, humanitarian principles or morality (Article 1(3)).
- (iv) Conditions of Patentability: Novelty, originality, industrial applicability (Article 1(2)).
- (v) Examination: Conditions of patentability (Article 11(3)).
- (vi) Opposition: With the Appeal Board, within 6 months from publication of the patent (Article 15(2)).
- (vii) Duration: 10 years from filing date with possibility of extension up to 5 years (Article 3(4)).

## Belarus

- (c) Trademarks: Law on Trademarks and Service Marks of February 5, 1993, published in *Industrial Property*, October 1993.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 1(1)).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Belarus Patent Office (Article 6(2)).
- (iii) Examination: Formal requirements (Article 9(1)) and absolute grounds of refusal and prior rights (Article 10(1)).
- (iv) Opposition: With the Appeal Board, at any time during validity of the trademark (Article 24(1)).
- (v) Duration: 10 years from filing date with possibility of renewal for further 10-year periods (Article 14).

### 3. Announcements

Announcements on the Protection of Industrial Property in Belarus published in *Industrial Property*, June 1993.

Announcement on the Extension of the Time Limits Indicated in the Announcement on the Protection of Industrial Property in Belarus published in *Industrial Property*, January 1994.

### 4. Time Limits for Confirming Applications and Rights

Time limits for re-filing/re-registration with the Belarus Patent Office of applications filed and titles granted in the former Soviet Union (further processing according to Belarusian legislation):

- (a) Patents and Inventors' Certificates:
  - (i) Applications: August 5, 1994, for applications filed before February 5, 1993, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.
  - (ii) Patents: February 5, 1996.

## Belarus

(iii) PCT Applications Designating the Former Soviet Union:

August 5, 1994, or at the latest by the end of the time limits under the PCT for applications not having entered the national phase.

August 5, 1994, for applications that have entered the national phase.

February 5, 1994, for patents or inventors' certificates granted on basis of PCT applications.

(iv) PCT Applications Irrespective of Designation:

Extension to Belarus possible if filed between December 24, 1991, and June 22, 1993.

(b) Industrial Designs:

(i) Applications: August 5, 1993, for applications filed before February 5, 1993, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.

(ii) Industrial Design Patents: February 5, 1994.

(c) Trademarks:

(i) Applications: August 5, 1994, for applications filed before February 5, 1993, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.

(ii) Registered Trademarks: October 5, 1993.

(iii) International Registrations: 6 months from notice by the International Bureau, for trademarks with territorial extension to the former Soviet Union effective prior to December 25, 1991.

## BOSNIA AND HERZEGOVINA (BA)

Official Name: Republic of Bosnia and Herzegovina  
Capital: Sarajevo  
Population: 4,400,000  
Sq. Km.: 51,100

### Industrial Property Office:

Institute for Standardization, Telephone: (38771) 442 150  
Metrology and Patents 442 151  
Dolina 6 Telefacsimile: (38771) 642 064  
71000 Sarajevo

Head: Mr. Ismet Galijasevic, Director

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since March 6, 1992 (Yugoslavia since October 11, 1973); Paris Convention since March 6, 1992 (Yugoslavia since February 26, 1921); Madrid Agreement (Marks) since March 6, 1992 (Yugoslavia since February 26, 1921); Nice Agreement since March 6, 1992 (Yugoslavia since August 30, 1966); Locarno Agreement since March 6, 1992 (Yugoslavia since October 16, 1973).

Declaration of continued application in Bosnia and Herzegovina of the WIPO Convention, Paris Convention, Madrid Agreement, Nice Agreement and Locarno Agreement deposited on December 23 1993.

### 2. Legislation

(a) Patents: Law on Patents and Distinctive Signs of July 18, 1993.

Text of legislation not available.

(b) Industrial Designs: Law on Patents and Distinctive Signs of July 18, 1993.

Text of legislation not available.

(c) Trademarks: Law on Patents and Distinctive Signs of July 18, 1993.

Text of legislation not available.





## BULGARIA (BG)

Official Name:	Republic of Bulgaria
Capital:	Sofia
Population:	8,600,000
Sq. Km.:	110,900
Official Language:	Bulgarian

### Industrial Property Office:

Patent Office of the Republic of Bulgaria 52B, Dr. G.M. Dimitrov Blvd. 1113 Sofia	Telephone: +(359-2) 710 134 710 152 Telefacsimile: +(359-2) 708 325
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Head: Mr. Kristo Iliev, President

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since May 19, 1970; Paris Convention since June 13, 1921; Madrid Agreement (Indications of Source) since August 12, 1975; Madrid Agreement (Marks) since August 1, 1985; Lisbon Agreement since August 12, 1975; PCT since May 21, 1984; Budapest Treaty since August 19, 1980; Nairobi Treaty since May 6, 1984.

### 2. Legislation

(a) Patents: Patent Law of March 18, 1993.

Main features:

- (i) Form of Protection: Patent (Article 6(1)).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Patent Office of Bulgaria (Article 3(2)).
- (iii) Exclusions: Inventions violating social order and good morality; substances obtained through internal nuclear transformations for military purposes; plant varieties and animal breeds (Article 7).
- (iv) Grace Period: 12 months prior to filing date (Article 11).
- (v) Examination: Formal requirements and conditions of patentability (Articles 46 and 47).

## Bulgaria

- (vi) Publication: Applications published 18 months after priority date (Article 50).
  - (vii) Opposition: With the Patent Office, after publication of the application (Article 47(4)). Opposition to the patent with the Department of Dispute of the Patent Office, within 3 months from the grant (Articles 55 and 56).
  - (viii) Duration: 20 years from filing date (Article 16).
  - (ix) Compulsory Licenses: For reasons of insufficient use or declared national state of emergency, upon decision by the Patent Office (Article 32(1)).
- (b) Industrial Designs: Trademark and Industrial Design Law of December 5, 1967, published in *Industrial Property*, February 1969.

Main features:

- (i) Form of Protection: Industrial design certificate (Article 30).
  - (ii) Filing of Applications: Foreign applicants must act through the Bulgarian Chamber of Commerce (Article 48).
  - (iii) Conditions of Protection: Novelty, industrial applicability (Article 26).
  - (iv) Examination: Formal requirements and novelty in Bulgaria (Article 28).
  - (v) Opposition: With the Patent Office, at any time during validity of the certificate (Article 23).
  - (vi) Duration: 5 years from filing date (Article 29).
  - (vii) Compulsory Licenses: For reasons of public interest, upon decision by the Patent Office (Article 34).
  - (viii) Use Requirement: 5 years (Article 23).
- (c) Trademarks: Trademark and Industrial Design Law of December 5, 1967, published in *Industrial Property*, February 1969.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 1).

## Bulgaria

- (ii) Filing of Applications: Foreign applicants must act through the Bulgarian Chamber of Commerce (Article 48).
  - (iii) Examination: Formal requirements (Article 18).
  - (iv) Opposition: With the Patent Office at any time during validity of the trademark (Article 23). Prior user of a non-registered mark may object to the application during its prosecution (Article 9).
  - (v) Duration: 10 years from filing date with possibility of renewal for further 10-year periods (Article 19).
  - (vi) Use Requirement: 5 years (Article 23).
- (d) Utility Models: Patent Law of March 18, 1993.

### Main features:

- (i) Form of Protection: Patent (Article 73).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Patent Office of Bulgaria (Article 3(2)).
- (iii) Exclusions: Inventions violating social order and good morality; substances obtained through internal nuclear transformations for military purposes; plant varieties and animal breeds (Article 7).
- (iv) Conditions of Patentability: Novelty, industrial applicability (Article 73).
- (v) Examination: Formal requirements and conditions of patentability (Articles 46 and 47).
- (vi) Duration: 10 years from filing date (Article 76).
- (vii) Compulsory Licenses: For reasons of insufficient use or declared national state of emergency, upon decision by the Patent Office (Article 32(1)).



## CROATIA (HR)

Official Name:	Republic of Croatia
Capital:	Zagreb
Population:	4,800,000
Sq. Km.:	56,500
Official Language:	Croatian

### Industrial Property Office:

State Patent Office	Telephone: +(3851) 536 657
Avenija Vukovar 78	Telefacsimile: +(3851) 536 597
41000 Zagreb	

Head: Mr. Nikola Kopčić, Director

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since October 8, 1991 (Yugoslavia since October 11, 1973);  
Paris Convention since October 8, 1991 (Yugoslavia since February 26, 1921);  
Madrid Agreement (Marks) since October 8, 1991 (Yugoslavia since February 26,  
1921); Nice Agreement since October 29, 1992 (Yugoslavia since October 16, 1973);  
Locarno Agreement since October 29, 1992 (Yugoslavia since October 16, 1973).

Declaration of continued application in Croatia of the WIPO Convention, Paris  
Convention, Madrid Agreement, Nice Agreement and Locarno Agreement deposited on  
July 28, 1992.

### 2. Legislation

(a) Patents: Industrial Property Law of April 2, 1992.

Main features:

- (i) Form of Protection: Patent (Article 2).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Croatian State Patent Office (Article 16).
- (iii) Exclusions: Inventions contrary to law or morality; plant varieties and animal breeds (Article 23).
- (iv) Examination: Formal requirements. Conditions of patentability at request of the applicant or any other person within 6 months from date of publication of the application (Articles 95 and 97).



## Croatia

- (v) Publication: Applications published 18 months after filing date (Article 93).
  - (vi) Opposition: With the State Patent Office, within 3 months from date of publication of the decision to grant the patent (Article 98a). Opposition to the grant with the State Patent Office at any time during term of protection (Article 115).
  - (vii) Duration: 20 years from filing date (Article 51).
  - (viii) Compulsory Licenses: For reasons of non-use or insufficient use, or if an invention cannot be exploited without the use of another earlier patented invention, upon decision by the State Patent Office (Articles 139 and 140).
- (b) Industrial Designs: Industrial Property Law of April 2, 1992.

Main features:

- (i) Form of Protection: Design (Article 2).
  - (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Croatian State Patent Office (Article 16).
  - (iii) Exclusions: Solutions contrary to law or morality (Article 27).
  - (iv) Conditions of Patentability: Novelty, industrial applicability (Article 25).
  - (v) Examination: Formal requirements and conditions of protection (Article 83). Novelty only in respect of previously protected designs in Croatia (Article 84).
  - (vi) Opposition: With the State Patent Office, at any time during term of protection (Article 115).
  - (vii) Duration: 10 years from filing date (Article 51).
- (c) Trademarks: Industrial Property Law of April 2, 1992.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 2).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Croatian State Patent Office (Article 16).

## Croatia

- (iii) Examination: Formal requirements and absolute grounds of refusal and prior rights (Article 83). Novelty only in respect of previously protected marks in Croatia (Article 84).
- (iv) Opposition: With the State Patent Office, at any time during validity of the trademark (Article 115).
- (v) Duration: 10 years from filing date with possibility of renewal for further 10-year periods (Article 51).

### 3. Announcements

Announcement on the Extension of the Time Limit for the Refiling in Croatia of Industrial Property Applications Filed with the Former Federal Patent Office of Yugoslavia published in *Industrial Property and Copyright*, January 1995.

### 4. Time Limits for Confirming Applications and Rights

Time limits for re-filing/re-registration with the Croatian State Patent Office of applications filed and titles granted in former Yugoslavia (further processing according to Croatian legislation):

#### (a) Patents:

- (i) Applications: Applications filed before October 8, 1991, can be refiled until March 31, 1995.
- (ii) Patents: Patents granted by the Former Federal Patent Office in Belgrade before October 8, 1991, considered as having the same effects as patents granted in Croatia.

#### (iii) PCT Applications:

(Former Yugoslavia was not a member of the PCT).

#### (b) Industrial Designs:

- (i) Applications: Applications filed before October 8, 1991, can be refiled until March 31, 1995.

## Croatia

(ii) Registered Industrial Designs:

Industrial designs registered by the Former Federal Patent Office in Belgrade before October 8, 1991, considered as having the same effects as industrial designs registered in Croatia.

(c) Trademarks:

- (i) Applications: Applications filed before October 8, 1991, can be refiled until March 31, 1995.
- (ii) Registered Trademarks: Trademarks registered by the Former Federal Patent Office in Belgrade before October 8, 1991, considered as having the same effects as trademarks registered in Croatia.
- (iii) International Registrations: March 1, 1994, with the International Bureau, for trademarks with territorial extension to former Yugoslavia effective prior to December 1, 1992.

## CZECH REPUBLIC (CZ)

Official Name:	Czech Republic
Capital:	Prague
Population:	10,400,000
Sq. Km.:	78,900
Official Language:	Czech

### Industrial Property Office:

Industrial Property Office of the Czech Republic Antonína Čermáka 2A 16068 Prague 6 Bubeneč	Telephone: +(42-2) 2431 555 Telefacsimile: +(42-2) 320 013
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Head: Ing. Ladislav Jakl, President

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since January 1, 1993 (Czechoslovakia since December 22, 1970); Paris Convention since January 1, 1993 (Czechoslovakia since October 5, 1919); Madrid Agreement (Indications of Source) since January 1, 1993 (Czechoslovakia since September 30, 1921); Madrid Agreement (Marks) since January 1, 1993 (Czechoslovakia since October 5, 1919); Nice Agreement since January 1, 1993 (Czechoslovakia since April 8, 1961); Lisbon Agreement since January 1, 1993 (Czechoslovakia since September 25, 1966); Locarno Agreement since January 1, 1993 (Czechoslovakia since April 27, 1971); PCT since January 1, 1993 (Czechoslovakia since June 20, 1991); Strasbourg Agreement since January 1, 1993 (Czechoslovakia since August 3, 1978); Budapest Treaty since January 1, 1993 (Czechoslovakia since August 5, 1989); UPOV since January 1, 1993 (Czechoslovakia since December 4, 1991); Berne Convention since January 1, 1993 (Czechoslovakia since January 11, 1980).

### 2. Legislation

- (a) Patents: Law No. 527 of November 27, 1990, on Inventions, Industrial Designs and Rationalization Proposals, published in *Industrial Property*, September 1991.

Main features:

- (i) Form of Protection: Patent (Article 3).

## Czech Republic

- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Industrial Property Office of the Czech Republic (Article 70).
  - (iii) Exclusions: Public interest, inventions contrary to humanitarian principles or morality, plant or animal varieties and biological processes (Article 4).
  - (iv) Grace Period: 6 months from filing date (Article 5(4)).
  - (v) Examination: Formal requirements. Conditions of patentability at request of the applicant or third party within 3 years from filing date or *ex officio* (Articles 30 and 33).
  - (vi) Publication: Applications published 18 months after priority date (Article 31(1)).
  - (vii) Opposition: With the Industrial Property Office, after publication of the application (Article 32). Opposition to the grant of the patent with the Industrial Property Office during term of protection (Article 23).
  - (viii) Duration: 20 years from filing date (Article 21).
  - (ix) Compulsory Licenses: For reasons of non-use or insufficient use, or where an important public interest is endangered, upon decision by the Industrial Property Office (Article 20).
- (b) Industrial Designs: Law No. 527 of November 27, 1990, on Inventions, Industrial Designs and Rationalization Proposals, published in *Industrial Property*, September 1991.

Main features:

- (i) Form of Protection: Industrial design (Article 40).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Industrial Property Office of the Czech Republic (Article 70).
- (iii) Exclusions: Solutions contrary to public interest, humanitarian principles or morality (Article 40(2)).
- (iv) Conditions of Protection: Novelty, industrial applicability (Article 36(1)).

## Czech Republic

- (v) Examination: Formal requirements and conditions of protection (Article 51).
  - (vi) Opposition: With the Industrial Property Office, during term of protection (Article 62).
  - (vii) Duration: 5 years from filing date with possibility of extension for two 5-year periods (Article 54).
- (c) Trademarks: Trademark Law No. 137 of June 21, 1995.
- Text of legislation not available.
- (d) Utility Models: Law No. 478 of September 24, 1992, on Utility Models.
- Main features:
- (i) Form of Protection: Utility model (Article 7).
  - (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Industrial Property Office of the Czech Republic (Article 21).
  - (iii) Exclusions: Models contrary to humanity or public morality; plant varieties, animal breeds, as well as biological reproduction materials; production processes or work activities (Article 3).
  - (iv) Conditions of Protection: Novelty, industrial applicability (Article 1).
  - (v) Grace Period: 6 months prior to filing date (Article 4(3)).
  - (vi) Examination: Formal requirements and industrial applicability (Article 11).
  - (vii) Opposition: With the Industrial Property Office, during term of protection (Article 17).
  - (viii) Duration: 4 years from filing date with possibility of extension for two 3-year periods (Article 15).
- (e) Integrated Circuits: Law No. 529 of December 3, 1991, on the Protection of Topographies of Semiconductor Products.

## Czech Republic

Main features:

- (i) Form of Protection: Topography of semiconductor products (Article 17).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Industrial Property Office of the Czech Republic (Article 18(2)).
- (iii) Conditions of Protection:
- (iv) Examination: Formal requirements (Article 8).
- (v) Opposition: With the Industrial Property Office, during term of protection (Article 14).
- (vi) Duration: 10 years from filing date, or, if it is earlier, from the first commercial exploitation (Article 9).
- (vii) Compulsory Licenses: For reasons of public interest, upon decision by the Industrial Property Office (Article 12).

### 3. Announcements

Announcement on Industrial Property Protection in the Czech Republic published in *Industrial Property*, January 1993.

### 4. Time Limits for Confirming Applications and Rights

#### (a) Patents:

- (i) Applications for patents filed with the Federal Office of Inventions of the former Czechoslovakia and patents granted by that Office maintain their legal effect in the Czech Republic.

PCT applications filed before January 1, 1993, designating the former Czechoslovakia, maintain their legal effect in the Czech Republic. Where the applicant has not having entered the national phase, a translation of the application into the Czech language must be submitted to the Industrial Property Office of the Czech Republic before the end of the time limits under the PCT.

- (ii) PCT applications irrespective of designation: Extension to the Czech Republic possible if filed between January 1, 1993, and February 21, 1993.

## Czech Republic

(b) Industrial Designs:

Applications for industrial designs filed with the Federal Office for Inventions of the former Czechoslovakia and industrial designs registered by that Office maintain their legal effect in the Czech Republic.

(c) Trademarks:

(i) Applications for trademarks filed with the Federal Office for Inventions of the former Czechoslovakia and trademarks registered by that Office maintain their legal effect in the Czech Republic.

(ii) International Registrations: October 1, 1994, with the International Bureau, for trademarks with territorial extension to the former Czechoslovakia effective prior to January 1, 1993.





## ESTONIA (EE)

Official Name:	Republic of Estonia
Capital:	Tallinn
Population:	1,600,000
Sq. Km.:	45,200
Official Language:	Estonian

### Industrial Property Office:

Estonian Patent Office	Telephone: + (37 26) 31 17 32
Toompuiestee 7	Telefacsimile: + (37 26) 45 13 42
EE 0100 Tallinn	

Head: Mr. Matti Päts, Director General

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since February 5, 1994; Paris Convention since August 24, 1994; PCT since August 24, 1994, Berne Convention since October 26, 1994.

### 2. Legislation

(a) Patents: Patent Law of March 16, 1994.

Main features:

- (i) Form of Protection: Patent (Article 5).
- (ii) Filing of Applications: Request in Estonian; other elements of the application can be in other languages. Translation into Estonian must be filed within 3 months (Article 21(2)). Foreign applicants must act through patent agents admitted to practice before the Estonian Patent Office (Article 20(3)).
- (iii) Exclusions: Inventions contrary to public order or morality; plant and animal varieties (Articles 6 and 7).
- (iv) Examination: Formal requirements and conditions of patentability (Articles 22 and 23).
- (v) Publication: Applications published 18 months after filing date or priority date (Article 24(1)).

## Estonia

- (vi) Opposition: With the Board of Appeals, within 9 months from the date of publication of the patent (Article 50(1)).
  - (vii) Duration: 20 years from filing date (Article 37(1)).
  - (viii) Compulsory Licenses: For reasons of non-use, domestic market needs, state defense, environment protection, public health or other important state interests, upon decision by the court (Article 47(1)).
- (b) Industrial Designs: Under preparation.
- (c) Trademarks: Trademark Act of August 27, 1992.

### Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 1).
- (ii) Filing of Applications: Request in Estonian; other elements of the application can be in English, French, German or Russian. Translation must be submitted within 3 months from filing date (Article 9(5)). Foreign applicants must act through patent agents admitted to practice before the Estonian Patent Office (Article 9(2)).
- (iii) Examination: Formal requirements and absolute grounds of refusal and prior rights (Articles 7 and 8).
- (iv) Opposition: With the Appeal Board, within 2 months from date of publication of the trademark (Article 13(2)).
- (v) Duration: 10 years from registration date with possibility of renewal for further 10-year periods (Article 17).
- (vi) Use Requirement: 5 years (Article 19).

### 3. Announcements

Announcement on Trademark Protection in Estonia published in *Industrial Property*, April 1993.

Announcement on Industrial Property Protection in Estonia published in *Industrial Property*, July/August 1994.

## Estonia

### 4. Time Limits for Confirming Applications and Rights

Time limits for re-filing/re-registration with the Estonian Patent Office of applications filed and titles granted in the former Soviet Union (further processing according to Estonian legislation):

- (a) Patents and Inventors' Certificates: Re-registration is not allowed.
- (b) Industrial Designs: Re-registration is not allowed.
- (c) Trademarks:
  - (i) Applications: Applications filed before December 23, 1991, with the State Register of Trademarks of the former Soviet Union cannot be refiled with the Estonian Patent Office.
  - (ii) Registered Trademarks and Service Marks: December 31, 1993, for trademarks and service marks registered before December 25, 1991, in the former Soviet Union, including international registrations under the Madrid Agreement.



## GEORGIA (GE)

Official Name:	Republic of Georgia
Capital:	Tbilisi
Population:	5,600,000
Sq. Km.:	69,500
Official Language:	Georgian

### Industrial Property Office:

Georgian Patent Office	Telephone: + (995 8832) 364 113
Kostava Str. 47	988 419
Tbilisi 380023	364 487
	Telefacsimile: + (995 8832) 988 497

Head: Mr. David Gabunia, Chairman

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since December 25, 1991 (Soviet Union since April 26, 1970); Paris Convention since December 25, 1991 (Soviet Union since July 1, 1965); PCT since December 25, 1991 (Soviet Union since March 29, 1978); Berne Convention since May 16, 1995.

Declaration of continued application in Georgia of the WIPO Convention, Paris Convention and the PCT deposited on January 18, 1994.

### 2. Legislation

(a) Patents: Regulation on Inventions of March 16, 1992.

Main features:

- (i) Form of Protection: Patent (no inventor's certificate, see, however, 4(a)) (Article 1).
- (ii) Filing of Applications: In Georgian or other languages with translation into Georgian within one month (Article 35). Foreign applicants must act through patent agents admitted to practice before the Georgian Patent Office (Articles 28 and 37).
- (iii) Exclusions: Plant varieties and animal species (Article 8), inventions able to contribute to inhuman, immoral or antisocial actions (Article 10).

## Georgia

- (iv) Grace Period: 6 months prior to filing date (Article 4).
  - (v) Examination: Formal requirements (Article 49). Conditions of patentability only in respect of inventions in the field of viticulture, wine-making, tea, citrus and fruit-growing, manganese extraction and processing within 12 months from the filing date (Articles 52 and 54).
  - (vi) Publication: Patents are published after grant of the patent (Articles 51 and 58).
  - (vii) Opposition: With the Appeal Board, within 90 days from publication of the patent (Article 51).
  - (viii) Duration: 20 years from filing date (Article 17).
  - (ix) Compulsory Licenses: For reasons of state interest or protection of public health (Articles 72 and 73). In case of non-use or insufficient use during 4 years from the grant of the patent, upon decision by the Georgian Patent Office (Article 70).
- (b) Industrial Designs: Regulation on Industrial Designs of March 15, 1992.

Main features:

- (i) Form of Protection: Patent for industrial design (Article 1).
- (ii) Filing of Applications: In Georgian or other languages with translation into Georgian within one month. Foreign applicants must act through patent agents admitted to practice before the the Georgian Patent Office (Article 17).
- (iii) Exclusions: Solutions contrary to public interest or morality (Article 7).
- (iv) Conditions of Patentability: Novelty, originality, industrial applicability (Articles 2 and 6).
- (v) Examination: Formal requirements (Article 12).
- (vi) Opposition: None.
- (vii) Duration: 10 years from filing date with possibility of extension up to 5 years (Article 10).

## Georgia

- (c) Trademarks: Regulation on Trademarks of March 16, 1992.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 1).
- (ii) Filing of Applications: In Georgian. Foreign applicants must act through patent agents admitted to practice before the Georgian Patent Office (Article 3).
- (iii) Examination: Formal requirements (Article 7) and absolute grounds of refusal and prior rights (Articles 10).
- (iv) Opposition: With the Appeal Board, within 4 months from registration of the trademark (Article 13).
- (v) Duration: 10 years from date of registration with possibility of renewal for further 10-year periods (Article 16).

### 3. Announcements

Announcements on Protection of Industrial Property in Georgia published in *Industrial Property*, April 1993 and May 1994.

### 4. Time Limits for Confirming Applications and Rights

Time limits for re-filing/re-registration with the Georgian Patent Office of applications filed and titles granted in the former Soviet Union (further processing according to Georgian legislation):

- (a) Patents and Inventors' Certificates:
  - (i) Applications: September 30, 1994, for applications filed before February 1, 1992, with the Patent Office of the former Soviet Union, or before May 1, 1992, with the Patent Office of the Russian Federation.
  - (ii) Patents: September 30, 1994.
  - (iii) PCT Applications Designating the Former Soviet Union:  
  
September 30, 1994, or at the latest by the end of the time limits under the PCT for applications not having entered the national phase.  
  
September 30, 1994, for applications that have entered the national phase.



## Georgia

September 30, 1994, for patents or inventors' certificates granted on the basis of PCT applications.

(iv) PCT Applications Irrespective of Designation:

Extension to Georgia possible if filed between December 24, 1991, and March 19, 1994.

(b) Industrial Designs:

(i) Applications: September 30, 1994, for applications filed before February 1, 1992, with the Patent Office of the former Soviet Union, or before May 1, 1992, with the Patent Office of the Russian Federation.

(ii) Industrial Design Patents: September 30, 1994.

(c) Trademarks:

(i) Applications: September 30, 1994, for applications filed before February 1, 1992, with the Patent Office of the former Soviet Union, or before May 1, 1992, with the Patent Office of the Russian Federation.

(ii) Registered Trademarks: September 30, 1994.

## HUNGARY (HU)

Official Name:	Republic of Hungary
Capital:	Budapest
Population:	10,300,000
Sq. Km.:	93,000
Official Language:	Hungarian

### Industrial Property Office:

Hungarian Patent Office	Telephone: +(36-1) 131 2942
Garibaldi u.2	131 6780
P.B. 552	131 2596
1370 Budapest 5	Telefacsimile: +(36-1) 131 2596
	321 9230

Head: Mr. Ernő Szarka, President

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since April 26, 1970; Paris Convention since January 1, 1909; Madrid Agreement (Indications of Source) since June 5, 1934; Madrid Agreement (Marks) since January 1, 1909; Hague Agreement since April 7, 1984; Nice Agreement since March 23, 1967; Lisbon Agreement since March 23, 1967; Locarno Agreement since January 1, 1974; PCT since June 27, 1980; Budapest Treaty since August 19, 1980; UPOV since April 16, 1983; Berne Convention since May 4, 1990.

### 2. Legislation

(a) Patents: Law on Patents No. XXXIII of April 25, 1995.

Main features:

- (i) Form of Protection: Patent (Article 1).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Hungarian Patent Office (Article 51(1)).
- (iii) Exclusions: Inventions contrary to public order or morality (Article 6(2)).
- (iv) Grace Period: 6 months from priority date (Article 3).

## Hungary

- (v) Examination: Formal requirements (Article 68). Novelty search *ex officio* (Article 69). Substantive examination at the request of the applicant to be submitted simultaneously with the filing of the patent application, or within 6 months after the date of the official notification of novelty search to the applicant (Article 75(1)).
  - (vi) Publication: Applications published 18 months after priority date (Article 70(1)).
  - (vii) Revocation: With the Hungarian Patent Office, during term of protection (Articles 42 and 80)
  - (viii) Duration: 20 years from filing date (Article 22).
  - (ix) Compulsory Licenses: For reasons of non-use or insufficient use in Hungary, or if an invention cannot be exploited without the use of another earlier patented invention, upon decision by the Hungarian Patent Office (Articles 31 to 33).
- (b) Industrial Designs: Law Decree No. 28 of 1978, published in *Industrial Property*, September 1979.

Main features:

- (i) Form of Protection: Industrial design registration (Article 1).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Hungarian Patent Office (Article 15(1)).
- (iii) Exclusions: Solutions detrimental to normal use of a product or contrary to law or moral rules (Article 1(4)).
- (iv) Conditions of Protection: Novelty (Article 1(1)).
- (v) Examination: Formal requirements and conditions of protection (Article 15).
- (vi) Opposition: With the Hungarian Patent Office, during term of protection (Article 15).
- (vii) Duration: 5 years from filing date with possibility of extension for 5 years (Article 5(2)).

## Hungary

- (c) Trademarks: Law on the Protection of Trademarks of 1969, published in *Industrial Property*, June 1970.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 1).
  - (ii) Filing of Applications: In foreign languages; translation into Hungarian may be required. Foreign applicants must act through patent agents admitted to practice before the Hungarian Patent Office (Article 22).
  - (iii) Examination: Formal requirements and absolute grounds of refusal and prior rights (Articles 28 and 29).
  - (iv) Duration: 10 years from filing date with possibility of renewal for further 10-year periods (Article 6).
  - (v) Use Requirement: 5 years (Article 35).
- (d) Utility Models: Law on the Protection of Utility Models (No. XXXVIII of 1991), published in *Industrial Property*, January 1993.

Main features:

- (i) Form of Protection: Utility model (Article 1).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Hungarian Patent Office (Article 28).
- (iii) Exclusions: Plant varieties and animal breeds (Article 1(2)).
- (iv) Conditions of Protection: Novelty, inventive step, industrial applicability (Article 1(1)).
- (v) Grace Period: 6 months prior to priority date (Article 2(4)).
- (vi) Examination: Formal requirements and conditions of protection (Article 34).
- (vii) Opposition: With the Hungarian Patent Office, within 30 days from decision on registration (Article 37).
- (viii) Duration: 10 years from filing date (Article 11).

## Hungary

- (e) Integrated Circuits: Law on the Protection of the Topographies of Microelectronic Semiconductor Products (No. XXXIX of 1991).

Main features:

- (i) Form of Protection: Registration of topography of microelectronic semiconductor products (Article 6(1)).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Hungarian Patent Office (Article 17(4)).
- (iii) Conditions of Protection: Originality (Article 1(1)). Protection can be claimed within 2 years from the first commercial exploitation (Article 6(3)).
- (iv) Examination: Formal requirements (Article 22).
- (v) Opposition: With the Hungarian Patent Office, during term of protection (Article 17(4)).
- (vi) Duration: 10 years from filing date or, if it is earlier, from the first commercial exploitation (Article 6(2)).

## KAZAKSTAN (KZ)

Official Name: Republic of Kazakstan  
Capital: Almaty  
Population: 17,100,000  
Sq. Km.: 2,717,000  
Official Language: Kazak

### Industrial Property Office:

National Patent Office Telephone: +(7-3272) 62 44 69  
92, Maulenova Str. 62 75 66  
490012 Almaty Telefacsimile: +(7-3272) 62 39 90

Head: Mr. Tolesh E. Kaudyrov, Chairman

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since December 25, 1991 (Soviet Union since April 26, 1970);  
Paris Convention since December 25, 1991 (Soviet Union since July 1, 1965);  
Madrid Agreement (Marks) since December 25, 1991 (Soviet Union since July 1,  
1976); PCT since December 25, 1991 (Soviet Union since March 29, 1978).

Declaration of continued application in Kazakstan of the WIPO Convention, Paris  
Convention, Madrid Agreement and the PCT deposited on February 16, 1993.

### 2. Legislation

(a) Patents: Patent Law of June 24, 1992, published in *Industrial Property*,  
July/August 1993.

Main features:

- (i) Form of Protection: Patent and provisional patent (no inventor's certificate, see, however, 4(a)) (Article 4(1)).
- (ii) Filing of Applications: Request in Kazak or Russian; other elements of the application can be filed in other languages. Translation into Kazak or Russian must be submitted within 2 months. Foreign applicants must act through patent agents admitted to practice before the National Patent Office of Kazakstan (Article 16).

## Kazakhstan

- (iii) Exclusions: Plant varieties and animal breeds; inventions contrary to public interest, humanitarian principles or morality (Article 5(3)).
  - (iv) Grace Period: 12 months prior to filing date (Article 5(4)).
  - (v) Examination: Formal requirements (Article 22(1)). Conditions of patentability at request of the applicant or third party filed within 4 years from filing date (Article 22(8)).
  - (vi) Publication: Applications published upon the grant of the provisional patent (Article 22(7)).
  - (vii) Opposition: With the Appeal Board, during term of protection (Article 29(1)).
  - (viii) Duration: 20 years for patents, 5 years for provisional patents, from filing date (Article 4(3)).
  - (ix) Compulsory Licenses: For reasons of non-use or insufficient use during 5 years from date of publication of the provisional patent, upon decision by the court (Article 11(3)).
- (b) Industrial Designs: Patent Law of June 24, 1992, published in *Industrial Property*, July/August 1993.

Main features:

- (i) Form of Protection: Patent and provisional patent (Article 4(1)).
- (ii) Filing of Applications: Request in Kazak or Russian; other elements of the application can be filed in other languages. Translation into Kazak or Russian must be submitted within 2 months. Foreign applicants must act through patent agents admitted to practice before the National Patent Office of Kazakhstan (Article 16).
- (iii) Exclusions: Solutions contrary to public interest, humanitarian principles or morality (Article 7(2)).
- (iv) Conditions of Patentability: Novelty, originality, industrial applicability (Article 7(1)).
- (v) Examination: Formal requirements (Article 22(1)). Conditions of patentability at request of the applicant or third party filed within 4 years from filing date (Article 24).

## Kazakhstan

- (vi) Opposition: With the Appeal Board, during term of protection (Article 29(1)).
  - (vii) Duration: 10 years for patents, 5 years for provisional patents, from filing date (Article 4(3)).
- (c) Trademarks: Trademark Law of January 18, 1993, published in *Industrial Property*, November 1993.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 3(1)).
- (ii) Filing of Applications: Request in Kazak or Russian; other elements of the application can be filed in other languages. Translation into Kazak or Russian must be submitted within 2 months (Article 6(4)). Foreign applicants must act through patent agents admitted to practice before the National Patent Office of Kazakhstan (Article 5(3)).
- (iii) Examination: Formal requirements and absolute grounds of refusal and prior rights (Article 10(1)).
- (iv) Opposition: With the Appeal Board, at any time during validity of the trademark (Article 28(2)).
- (v) Duration: 10 years from filing date with possibility of renewal for further 10-year periods (Article 18).

### 3. Announcements

Announcements on Industrial Property Protection in Kazakhstan published in *Industrial Property*, April 1993 and February 1994.

### 4. Time Limits for Confirming Applications and Rights

Time limits for re-filing/re-registration with the National Patent Office of Kazakhstan of applications filed and titles granted in the former Soviet Union (further processing according to Kazak legislation):

- (a) Patents and Inventors' Certificates:
  - (i) Applications: December 1, 1993, for applications filed before October 14, 1992, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.



## Kazakhstan

(ii) Patents: Until expiration of the term.

(iii) PCT Applications Designating the Former Soviet Union:

December 1, 1993, or at the latest by the end of the time limits under the PCT for applications not having entered the national phase.

December 1, 1993, for applications that have entered the national phase.

Until expiration of the term for patents granted on basis of PCT applications.

(iv) PCT Applications Irrespective of Designation:

Extension to Kazakhstan possible if filed between December 24, 1991, and April 17, 1993.

(b) Industrial Designs:

(i) Applications: December 1, 1993, for applications filed before October 14, 1992, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.

(ii) Industrial Design Patents: December 1, 1993.

(c) Trademarks:

(i) Applications: November 1, 1993, for applications filed before October 14, 1992, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.

(ii) Registered Trademarks: November 1, 1993.

(iii) International Registrations: 6 months from notice by the International Bureau, for trademarks with territorial extension to the former Soviet Union effective prior to December 25, 1991.

## KYRGYZSTAN (KG)

Official Name: Kyrgyz Republic  
Capital: Bishkek  
Population: 4,600,000  
Sq. Km.: 198,500  
Official Language: Kyrgyz

Industrial Property Office:

Patent Department of the Ministry  
of Science and Education  
87, Isanov Street  
Bishkek 720001

Telephone: +(7-331-2) 21 34 87  
21 54 94  
Telefacsimile: +(7-331-2) 21 48 92

Head: Mr. Roman O. Omorov

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since December 25, 1991 (Soviet Union since April 26, 1970); Paris Convention since December 25, 1991 (Soviet Union since July 1, 1965); Madrid Agreement (Marks) since December 25, 1991 (Soviet Union since July 1, 1976); PCT since December 25, 1991 (Soviet Union since March 29, 1978).

Declaration of continued application in Kyrgyzstan of the WIPO Convention, Paris Convention, Madrid Agreement and the PCT deposited on February 14, 1994.

### 2. Legislation

(a) Patents: Provisional Regulations on Industrial Property of August 2, 1993.

Main features:

- (i) Form of Protection: Patent and provisional patent (no inventor's certificate, see, however, 4(a)) (Article 3(1)).
- (ii) Filing of Applications: In Kyrgyz or Russian (Article 8(2)). Foreign applicants must act through patent agents admitted to practice before the Patent Department of the Ministry of Science and Education of Kyrgyzstan (Article 8).
- (iii) Exclusions: Plant varieties and animal breeds; inventions contrary to public interest, humanitarian principles or morality (Article 4(1)).

## Kyrgyzstan

- (iv) Grace Period: 12 months prior to filing date (Article 4(1)).
  - (v) Examination: Formal requirements. Conditions of patentability at request of the applicant or third party within 4 years from priority date (Article 11).
  - (vi) Publication: Publication within 6 months from date of registration (Article 13).
  - (vii) Opposition: With the Appeal Board, during term of protection (Article 15).
  - (viii) Duration: 20 years for patent, 5 years for provisional patent, from priority date (Article 3).
  - (ix) Compulsory Licenses: For reasons of non-use or insufficient use during 4 years from grant of the patent, upon decision by the court (Article 6(3)).
- (b) Industrial Designs: Provisional Regulations on Industrial Property of August 2, 1993.

### Main features:

- (i) Form of Protection: Patent and provisional patent (Article 3(1)).
- (ii) Filing of Applications: In Kyrgyz or Russian. Foreign applicants must act through patent agents admitted to practice before the Patent Department of the Ministry of Science and Education of Kyrgyzstan (Article 8).
- (iii) Exclusions: Solutions contrary to public interest, humanitarian principles or morality (Article 4(3)).
- (iv) Conditions of Patentability: Novelty, originality, industrial applicability (Article 4(3)).
- (v) Examination: Formal requirements. Conditions of patentability at request of the applicant or third party within 4 years from priority date (Article 11).
- (vi) Opposition: With the Appeal Board, during term of protection (Article 15).
- (vii) Duration: 10 years for patent, 3 years for provisional patent, from priority date (Article 3).

## Kyrgyzstan

- (c) Trademarks: Provisional Regulations on Industrial Property of August 2, 1993.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 4(4)).
- (ii) Filing of Applications: In Kyrgyz or Russian. Foreign applicants must act through patent agents admitted to practice before the Patent Department of the Ministry of Science and Education of Kyrgyzstan (Article 9).
- (iii) Examination: Formal requirements and absolute grounds of refusal and prior rights (Article 11(4)).
- (iv) Opposition: With the Appeal Board, at any time during validity of the trademark (Article 16).
- (v) Duration: 10 years from priority date with possibility of renewal for further 10-year periods (Articles 3(10) and 17).

### 3. Announcements

Announcements on the Protection of Industrial Property in Kyrgyzstan published in *Industrial Property*, December 1993 and May 1994.

### 4. Time Limits for Confirming Applications and Rights

Time limits for re-filing/re-registration with the Patent Department of the Ministry of Science and Education of Kyrgyzstan of applications filed and titles granted in the former Soviet Union (further processing according to Kyrgyz legislation):

(a) Patents and Inventors' Certificates:

- (i) Applications: October 31, 1994, for applications filed before August 2, 1993, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.

- (ii) Patents: August 1, 1994.

(iii) PCT Applications Designating the Former Soviet Union:

October 31, 1994, or at the latest by the end of the time limits under the PCT for applications not having entered the national phase.

October 31, 1994, for applications that have entered the national phase.

## Kyrgyzstan

August 1, 1994, for patents or inventors' certificates granted on basis of PCT applications.

(iv) PCT Applications Irrespective of Designation:

Extension to Kyrgyzstan possible if filed between December 24, 1991, and April 15, 1994.

(b) Industrial Designs:

(i) Applications: August 1, 1994, for applications filed before August 2, 1993, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.

(ii) Industrial Design Patents: August 1, 1994.

(c) Trademarks:

(i) Applications: October 31, 1994, for applications filed before August 2, 1993, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.

(ii) Registered Trademarks: October 31, 1994.

(iii) International Registrations: 6 months from notice by the International Bureau, for trademarks with territorial extension to the former Soviet Union effective prior to December 25, 1991.

## LATVIA (LV)

Official Name:	Republic of Latvia
Capital:	Riga
Population:	2,700,000
Sq. Km.:	64,600
1991 Gross Domestic Product:	US\$13.12 billion
Official Language:	Latvian

### Industrial Property Office:

Patent Office of the Republic of Latvia Citadeles iela, 7 P.O. Box 210 Riga 1047	Telephone: +(371-9) 341 178 Telefacsimile: +(371-9) 348 982
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Head: Mr. Zigrīds Aumeisters, Director

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since January 21, 1993; Paris Convention since September 7, 1993; PCT since September 7, 1993; Madrid Agreement (Marks) since January 1, 1995; Budapest Treaty since December 29, 1994; Nice Agreement since January 1, 1995; Berne Convention since August 11, 1995.

### 2. Legislation

(a) Patents: Patent Law of March 2, 1993.

Main features:

- (i) Form of Protection: Patent (no inventor's certificate, see, however, 4(a)) (Article 1).

Filing of Applications: In English, French, German, Latvian or Russian. Translation into Latvian must be filed within 2 months (Article 7(3)). Foreign applicants must act through patent agents admitted to practice before the Patent Office of Latvia (Article 29(2) and (6)).

- (ii) Exclusions: Inventions contrary to public order or morality; plant and animal varieties or essentially biological processes for the production of plants or animals (Article 3(3)).

## Latvia

- (iii) Grace Period: 12 months prior to filing date (Article 1(5)).
  - (iv) Examination: Formal requirements (Article 12).
  - (v) Publication: Applications published 18 months after priority date (Article 11(2)).
  - (vi) Opposition: In respect of formal requirements with the Appeal Board, within 9 months from the date of publication of the patent. Opposition on grounds of other requirements with the court, within 3 years, except for the annulment or invalidation of the patent or the grant of licenses (within the period of patent duration) (Articles 13 and 49).
  - (vii) Duration: 20 years from filing date (Article 31(4)).
  - (viii) Compulsory Licenses: For reasons of vital importance to the welfare of the residents or for reasons of national economy or security or if an invention of great economic significance cannot be exploited without the use of another earlier patented invention, upon decision by the court (Article 39).
- (b) Industrial Designs: Law on Industrial Designs of May 4, 1993, published in *Industrial Property and Copyright*, June 1995.

### Main features:

- (i) Form of Protection: Industrial design patent (Article 1(2)).
- (ii) Filing of Applications: Request in Latvian; other elements of the application may be in English, French, German or Russian. Translation must be submitted within 2 months from the request of the Patent Office (Article 4(4)). Foreign applicants must act through patent agents admitted to practice before the Patent Office of Latvia (Article 4(5)).
- (iii) Exclusions: Solutions contrary to ethics, humanity and morality (Article 2(1)).
- (iv) Conditions of Patentability: Novelty, visual appeal, industrial applicability (Article 1(2)).
- (v) Examination: Formal requirements (Article 7).
- (vi) Opposition: In respect of formal requirements with the Appeal Board, within 6 months from the date of publication of the patent. Opposition based on other requirements with the court, during term of protection (Articles 8 and 23).
- (vii) Duration: 5 years from filing date with possibility of extension for two 5-year periods (Article 11).

## Latvia

- (c) Trademarks: Trademark Law of March 9, 1993, published in *Industrial Property*, April 1994.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 1).
- (ii) Filing of Applications: Request in Latvian; other elements of the application may be in English, French, German and Russian. Translation may be required within a set term (Article 4(6)). Foreign applicants must act through patent agents admitted to practice before the Patent Office of Latvia (Article 4(9)).
- (iii) Examination: Formal requirements and absolute grounds of refusal and prior rights (Article 7).
- (iv) Opposition: With the Appeal Board, within 3 months from date of publication of the trademark (Article 10).
- (v) Duration: 10 years from filing date with possibility of renewal for further 10-year periods (Article 12).

### 3. Announcements

Announcement on the Provisional Order of Inventions, Industrial Designs and Trademark Protection in Latvia published in *Industrial Property*, June 1992.

### 4. Time Limits for Confirming Applications and Rights

Time limits for re-filing/re-registration with the Patent Office of Latvia of applications filed and titles granted in the former Soviet Union (further processing according to Latvian legislation):

- (a) Patents and Inventors' Certificates:
  - (i) Applications: June 30, 1993, for applications filed before December 31, 1991, with the Patent Office of the former Soviet Union.
  - (ii) Patents: June 30, 1993, for patents and inventors' certificates granted before December 31, 1991, by the Patent Office of the former Soviet Union.
  - (iii) PCT Applications Designating the Former Soviet Union:  
June 30, 1993, for PCT applications prior to December 31, 1991.



## Latvia

June 30, 1993, for patents or inventors' certificates granted on basis of PCT applications prior to December 31, 1991.

(b) Industrial Designs:

- (i) Applications: June 30, 1993, for applications filed before December 31, 1991, with the Patent Office of the former Soviet Union.
- (ii) Industrial Design Patents: June 30, 1993, for industrial design patents registered before December 31, 1991, in the former Soviet Union.

(c) Trademarks:

- (i) Applications: June 30, 1993, for applications filed before December 31, 1991, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.
- (ii) Registered Trademarks: June 30, 1993, for trademarks registered before December 31, 1991, in the former Soviet Union, including international registrations under the Madrid Agreement.

## LITHUANIA (LT)

Official Name:	Republic of Lithuania
Capital:	Vilnius
Population:	3,800,000
Sq. Km.:	65,200
Official Language:	Lithuanian

### Industrial Property Office:

State Patent Bureau	Telephone: + (370-2) 23 33 49
Algirdo g. 31	Telefacsimile: + (370-2) 26 34 69
Vilnius 2600	
Head: Mr. Rimvydas Naujokas, Director	

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since April 30, 1992; Paris Convention since May 21, 1994; PCT since July 5, 1994; Berne Convention since December 14, 1994.

### 2. Legislation

(a) Patents: Patent Law of January 18, 1994.

Main features:

- (i) Form of Protection: Patent (Article 1).
- (ii) Filing of Applications: Request in Lithuanian; other elements of the application can be in other languages. Translation into Estonian must be filed within 3 months (Article 11(7)). Foreign applicants must act through patent agents admitted to practice before the State Patent Bureau of Lithuania (Article 10).
- (iii) Exclusions: Inventions contrary to public interest, principles of humanity and morality; plant and animal varieties (Article 2(4)).
- (iv) Grace period: 6 months prior to filing date (Article 6).
- (v) Examination: Formal requirements (Article 19).
- (vi) Publication: Applications published 18 months after filing date or priority date (Article 21).

## Lithuania

- (vii) Opposition: With the Board of Appeals prior to granting of the patent (Article 40(1)).
  - (viii) Duration: 20 years from filing date (Article 27).
  - (ix) Compulsory Licenses: For reasons of non-use or insufficient use or State or public interest, upon decision by the court (Articles 38 and 39).
- (b) Industrial Designs: Industrial Designs Law of September 1, 1995.
- Text of legislation not available.
- (c) Trademarks: Law on Trademarks and Service Marks of June 3, 1993, published in *Industrial Property*, March 1994.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 1).
- (ii) Filing of Applications: In Lithuanian. Foreign applicants must act through patent agents admitted to practice before the Lithuanian State Patent Bureau (Article 5).
- (iii) Examination: Formal requirements and absolute grounds of refusal and prior rights (Articles 4 and 9).
- (iv) Opposition: With the Section of Appeal of the State Patent Bureau, within 3 months from date of publication of the trademark (Article 12).
- (v) Duration: 10 years from filing date with possibility of renewal for further 10-year periods (Articles 17 and 18).
- (vi) Use Requirement: 5 years (Article 24).

### 3. Announcements

Announcement on the Decree of the Government of Lithuania on the Protection of Industrial Property published in *Industrial Property*, July/August 1992.

Announcement on the Extension of the Time Limits Indicated in the Announcement of July/August 1992, published in *Industrial Property*, May 1993.

## Lithuania

### 4. Time Limits for Confirming Applications and Rights

Time limits for re-filing/re-registration with the Lithuanian State Patent Bureau of applications filed and titles granted in the former Soviet Union (further processing according to Lithuanian legislation):

(a) Patents and Inventors' Certificates:

- (i) Applications: September 30, 1993, for applications filed after January 1, 1990, with the Patent Office of the former Soviet Union. Priority rights can be claimed from May 20, 1992, onwards.
- (ii) Patents and Inventors' Certificates Granted: September 30, 1993, for a period of 15 years from filing date based on applications filed after January 1, 1978.
- (iii) PCT Applications Designating the Former Soviet Union:  
September 30, 1993, for PCT applications filed after January 1, 1990. Priority rights can be claimed from May 20, 1992, onwards.

(b) Industrial Designs:

- (i) Applications: September 30, 1993, for applications filed after January 1, 1990, with the Patent Office of the former Soviet Union. Priority rights can be claimed from May 20, 1992, onwards.
- (ii) Industrial Design Patents: September 30, 1993, for a period of 5 years, with possibility of extension up to 10 years from filing date based on applications filed after January 1, 1983.

(c) Trademarks:

- (i) Applications: September 30, 1993, for applications filed after January 1, 1990, with the Patent Office of the former Soviet Union. Priority rights can be claimed from May 20, 1992, onwards.
- (ii) Registered Trademarks: September 30, 1993, for a period of 10 years from filing date. December 31, 1993, for international registrations under the Madrid Agreement with territorial extension to the former Soviet Union effective prior to January 31, 1991.



## POLAND (PL)

Official Name:	Republic of Poland
Capital:	Warsaw
Population:	38,400,000
Sq. Km.:	312,700
Official Language:	Polish

### Industrial Property Office:

Patent Office of the Republic of Poland Aleja Niepodleglosci 188-192 P.O. Box 203 00-950 Warsaw	Telephone: +(48-22) 25 05 84 Telefacsimile: +(48-22) 25 05 81
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Head: Mr. Wieslaw Kotarba, President

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since March 23, 1975; Paris Convention since November 10, 1919; Berne Convention since January 28, 1920; Madrid Agreement (Indications of Source) since December 10, 1928; Madrid Agreement (Marks) since March 18, 1991; PCT since December 25, 1990; Budapest Treaty since September 22, 1993; UPOV since November 11, 1989.

### 2. Legislation

- (a) Patents: Law on Inventive Activity of October 19, 1972, as amended in 1984 and 1992, published in *Industrial Property and Copyright*, October 1995.

Main features:

- (i) Form of Protection: Patent (Article 8).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Patent Office of Poland (Article 32(7)).
- (iii) Exclusions: New plant varieties and animal breeds, inventions contrary to law or public policy (Article 12).
- (iv) Examination: Formal requirements and conditions of patentability (Article 37).

## Poland

- (v) Publication: Applications published 18 months after filing date or priority date (Article 34(1)).
  - (vi) Opposition: With the Patent Office of Poland, within 6 months from publication of the application (Article 34(3)). Opposition to the grant of the patent with the Patent Office of Poland during term of protection (Article 68).
  - (vii) Duration: 20 years from filing date (Article 16(2)).
  - (viii) Compulsory Licenses: For reasons of national emergency or insufficient use, upon decision by the Patent Office of Poland (Article 49(1)).
- (b) Industrial Designs: Ordinance of January 29, 1963.

Main features:

- (i) Form of Protection: Industrial design registration (Article 2).
  - (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Patent Office of Poland (Article 11).
  - (iii) Exclusions: Designs contrary to law or public order (Article 8).
  - (iv) Conditions of Protection: Novelty, original appearance, industrial applicability (Article 1).
  - (v) Examination: Formal requirements (Article 3).
  - (vi) Opposition: With the Patent Office of Poland, during term of protection (Article 11).
  - (vii) Duration: 5 years from filing date with possibility of extension for 5 years (Articles 5 and 6).
- (c) Trademarks: Law on Trademarks of January 31, 1985, as amended in 1994, published in *Industrial Property*, February 1987.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 1).

## Poland

- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Patent Office of Poland (Article 51).
  - (iii) Examination: Formal requirements and absolute grounds of refusal and prior rights (Article 43).
  - (iv) Opposition: With the Patent Office of Poland, within 2 months from publication of the decision on registration (Article 38).
  - (v) Duration: 10 years from filing of the application with possibility of renewal for further 10-year periods (Article 13(3)).
- (d) Utility Models: Law on Inventive Activity of October 19, 1972, as amended in 1984 and 1992, published in *Industrial Property and Copyright*, October 1995.

### Main features:

- (i) Form of Protection: Certificate of protection (Article 78).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Patent Office of Poland (Article 82).
- (iii) Exclusions: New plant varieties and animal breeds, inventions contrary to law or public policy (Article 82).
- (iv) Conditions of Protection: Novelty, useful solution (Article 77).
- (v) Examination: Formal requirements and conditions of patentability (Article 82).
- (vi) Publication: Applications published 18 months after filing date or priority date (Article 34(1)).
- (vii) Duration: 5 years from filing date with possibility of extension for 5 years (Article 80(2)).
- (viii) Compulsory Licenses: For reasons of national emergency or of insufficient use, upon decision by the Patent Office of Poland (Article 49(1)).



## Poland

(e) Integrated Circuits: Law of October 30, 1992.

Main features:

- (i) Form of Protection: Registration of topography of integrated circuits (Article 5).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Patent Office of Poland (Article 36).
- (iii) Conditions of Protection: Originality (Article 5).
- (iv) Examination: Formal requirements (Article 32(1)).
- (v) Opposition: With the Patent Office of Poland, during term of protection (Article 37(2)).
- (vi) Duration: 10 years from filing date, or, if it is earlier, from the first commercial exploitation (Article 13).

## REPUBLIC OF MOLDOVA (MD)

Official Name: Republic of Moldova  
Capital: Kishinev  
Population: 4,500,000  
Sq. Km.: 33,700

### Industrial Property Office:

State Agency on Industrial Property  
Protection (AGEPI) Telephone: +(373-2) 44 32 53  
24/1 A. Doga Str. Telefacsimile: +(373-2) 44 01 19  
277024 Kishinev  
Republic of Moldova

Head: Mr. Eugen M. Stashkov, Director General

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since December 25, 1991 (Soviet Union since April 26, 1970);  
Paris Convention since December 25, 1991 (Soviet Union since July 1, 1965);  
Madrid Agreement (Marks) since December 25, 1991 (Soviet Union since July 1,  
1976); PCT since December 25, 1991 (Soviet Union since March 29, 1978); Budapest  
Treaty since December 25, 1991 (Soviet Union since April 22, 1981); Nairobi Treaty  
since December 25, 1991 (Soviet Union since April 17, 1986); Hague Agreement since  
March 14, 1994; Berne Convention since November 2, 1995.

Declaration of continued application in Moldova of the WIPO Convention and the  
Paris Convention deposited on June 3, 1993.

Declaration of continued application in Moldova of the Madrid Agreement (Marks),  
PCT, Budapest Treaty and the Nairobi Treaty deposited on February 14, 1994.

### 2. Legislation

(a) Patents: Patent Law of September 28, 1995.

Main features:

(i) Form of Protection: Patent (no inventor's certificate, see, however, 4(a))  
(Article 2).

## Republic of Moldova

- (ii) Filing of Applications: Request in the State language; other elements of the application can be filed in English, French, German, Russian. Translation into the State language must be submitted within 2 months (Article 10). Foreign applicants must act through patent agents admitted to practice before the State Agency on Industrial Property Protection of Moldova (Article 3).
  - (iii) Exclusions: Inventions contrary to public interest or morality (Article 4).
  - (iv) Grace Period: 12 months prior to priority date (Article 8).
  - (v) Examination: Formal requirements within one month from receipt of the application (Article 16). Conditions of patentability at request of the applicant or third party within 30 months from filing date (Article 16).
  - (vi) Publication: Applications published 18 months after filing date (Article 17).
  - (vii) Opposition: With the Appeal Board, within 6 months from publication of the application (Article 19).
  - (viii) Duration: 20 years from filing date (Article 2), both for patents with or without substantive examination.
  - (ix) Compulsory Licenses: For reasons of national security upon decision by the Government (Article 33), and in case of non-use or insufficient use during 3 years from grant of the patent, upon decision by the court or arbitration (Article 33).
- (b) Industrial Designs: Provisional Regulations Concerning the Protection of Industrial Property of July 26, 1993.

### Main features:

- (i) Form of Protection: Industrial design certificate (Article 29).
- (ii) Filing of Applications: Request in Romanian; other elements of the application can be filed in other languages. Translation into Romanian must be submitted within 2 months. Foreign applicants must act through patent agents admitted to practice before the State Agency on Industrial Property Protection of Moldova (Article 39).
- (iii) Exclusions: Solutions contrary to public interest or morality (Article 21).
- (iv) Conditions of Patentability: Novelty, usefulness, industrial applicability (Article 18).

## Republic of Moldova

- (v) Examination: Formal requirements within one month from receipt of the application (Article 41). Conditions of patentability at request of the applicant or third party within 3 months from publication of the application (Article 45).
  - (vi) Opposition: With the Appeal Board, within 3 months from publication of the application (Article 43).
  - (vii) Duration: 10 years from filing date with possibility of extension up to 5 years (Article 29).
- (c) Trademarks: Provisional Regulations Concerning the Protection of Industrial Property of July 26, 1993.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 2).
- (ii) Filing of Applications: Request in Romanian; other elements of the application can be filed in other languages. Translation into Romanian must be submitted within 2 months. Foreign applicants must act through patent agents admitted to practice before the State Agency on Industrial Property Protection of Moldova (Article 37).
- (iii) Examination: Formal requirements (Article 41) and absolute grounds of refusal and prior rights (Article 46).
- (iv) Opposition: With the Appeal Board, within 3 months from publication of the application (Article 46).
- (v) Duration: 10 years from filing date with possibility of renewal for further 5 or 10-year periods (Article 29).

### 3. Announcements

Announcements on the Protection of Industrial Property in Moldova published in *Industrial Property*, November 1993 and May 1994.

### 4. Time Limits for Confirming Applications and Rights

Time limits for re-filing/re-registration with the State Agency on Industrial Property Protection of Moldova of applications filed and titles granted in the former Soviet Union (further processing according to Moldovan legislation):

## Republic of Moldova

(a) Patents and Inventors' Certificates:

(i) Applications: December 30, 1994, for applications filed before July 26, 1993, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.

(ii) Patents: December 30, 1994.

(iii) PCT Applications Designating the Former Soviet Union:

December 30, 1994, or at the latest by the end of the time limits under the PCT for applications not having entered the national phase, and whose time limit for having entered the national phase had not expired on December 24, 1991.

December 30, 1994, for applications that have entered the national phase and filed prior to December 25, 1991.

December 30, 1994, for patents or inventors' certificates granted on basis of PCT applications and filed prior to December 25, 1991.

(iv) PCT Applications Irrespective of Designation:

Extension to Moldova possible if filed between December 24, 1991, and April 15, 1994.

(b) Industrial Designs:

(i) Applications: December 30, 1994, for applications filed before July 26, 1993, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.

(ii) Industrial Design Certificates: December 30, 1994.

(c) Trademarks:

(i) Applications: December 30, 1994, for applications filed before July 26, 1993, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.

(ii) Registered Trademarks: December 30, 1994.

(iii) International Registrations: May 1, 1995.

## ROMANIA (RO)

Official Name:	Romania
Capital:	Bucharest
Population:	23,200,000
Sq. Km.:	237,500
Official Language:	Romanian

### Industrial Property Office:

State Office for Inventions and Trademarks 5, Ion Ghica Street, Sect. 3 70018 Bucharest	Telephone: +(40-1) 615 90 66 614 92 56 Telefacsimile: +(40-1) 312 38 19
--	---

Head: Mrs. Mioara Rădulescu, Director General

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since April 26, 1970; Paris Convention since October 6, 1920; Madrid Agreement (Marks) since October 6, 1920; Hague Agreement since July 18, 1992; PCT since July 23, 1979.

### 2. Legislation

- (a) Patents: Patent Law No. 64 of October 11, 1991, published in *Industrial Property*, September 1992.

Main features:

- (i) Form of Protection: Patent (Article 2).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Romanian State Office for Inventions and Trademarks (Article 14).
- (iii) Exclusions: Inventions contrary to public order or morality (Article 12).
- (iv) Grace Period: 12 months prior to filing date or priority date (Article 8).
- (v) Examination: Formal requirements. Conditions of patentability at request of the applicant or third party within 30 months from filing date (Article 26).
- (vi) Publication: Applications published 18 months after filing date (Article 23).

## Romania

- (vii) Opposition: With the State Office for Inventions and Trademarks, within 6 months from date of publication of decision to grant the patent (Article 56).
  - (viii) Duration: 20 years from filing date (Article 32).
  - (ix) Compulsory Licenses: For reasons of non-use or insufficient use, upon decision by the Municipal Court of Bucharest (Article 79).
- (b) Industrial Designs: Industrial Design Law No. 129 of December 29, 1992, published in *Industrial Property*, September 1993.

Main features:

- (i) Form of Protection: Certificate of registration (Article 2).
  - (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the State Office for Inventions and Trademarks (Article 12).
  - (iii) Exclusions: Contrary to morality or public policy (Article 11).
  - (iv) Conditions of Protection: New appearance of the product having a utilitarian function (Article 8).
  - (v) Examination: Formal requirements and conditions of protection (Article 22).
  - (vi) Opposition: With the State Office for Inventions and Trademarks, within 3 months from publication (Article 21).
  - (vii) Duration: 5 years from filing date with possibility of extension for two 5-year periods (Article 31).
- (c) Trademarks: Law on Trademarks No. 28/1967, published in *Industrial Property*, September 1968.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 1).
- (ii) Filing of applications: Foreign applicants must act through patent agents admitted to practice before the State Office for Inventions and Trademarks.
- (iii) Examination: Formal requirements and absolute grounds of refusal and prior rights (Articles 15 and 16).

## Romania

- (iv) Opposition: With the State Office for Inventions and Trademarks, within 5 years of registration in respect of prior rights, or at any time during term of protection in respect of other grounds (Article 22).
- (v) Duration: 10 years from filing date with possibility of renewal for further 10-year periods (Article 20).





## RUSSIAN FEDERATION (RU)

Official Name:	Russian Federation
Capital:	Moscow
Population:	149,000,000
Sq. Km.:	17,075,400
Official Language:	Russian

### Industrial Property Office:

Committee for Patents and Trademarks (ROSPATENT)	Telephone: + (7-095) 206 6203 206 8806
M. Cherkassky per. 2/6 Moscow (Centre), GSP, 103621	Telefacsimile: + (7-095) 923 4093

Head: Dr. Vitaly P. Rassokhin, Chairman

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since December 25, 1991 (Soviet Union since April 26, 1970);  
Paris Convention since December 25, 1991 (Soviet Union since July 1, 1965);  
Madrid Agreement (Marks) since December 25, 1991 (Soviet Union since July 1, 1976);  
Nice Agreement since December 25, 1991 (Soviet Union since July 26, 1971);  
Locarno Agreement since December 25, 1991 (Soviet Union since December 15, 1972);  
PCT since December 25, 1991 (Soviet Union since March 29, 1978);  
Strasbourg Agreement since December 25, 1991 (Soviet Union since October 3, 1976);  
Budapest Treaty since December 25, 1991 (Soviet Union since April 22, 1981);  
Nairobi Treaty since December 25, 1991 (Soviet Union since April 17, 1986);  
Berne Convention since March 13, 1995.

### 2. Legislation

- (a) Patents: Patent Law of September 23, 1992, published in *Industrial Property*, March 1993.

#### Main features:

- (i) Form of Protection: Patent (no inventor's certificate, see, however, 4(a)) (Article 3(1)).
- (ii) Filing of Applications: Request in Russian; other elements can be in other languages; translation into Russian must be submitted within 2 months. Foreign applicants must act through patent agents admitted to practice before ROSPATENT (Article 15).

## Russian Federation

- (iii) Exclusions: Inventions contrary to public interest, humanitarian principles or morality (Article 4(3)).
  - (iv) Grace Period: 6 months prior to filing date (Article 4(1)).
  - (v) Examination: Formal requirements. Conditions of patentability at request of the applicant or third party filed within 3 years from filing date (Article 21).
  - (vi) Publication: Publication after decision to grant the patent (Article 25).
  - (vii) Opposition: With the Appeal Board, during term of protection (Article 29).
  - (viii) Duration: 20 years from filing date (Article 3(3)).
  - (ix) Compulsory Licenses: For reasons of non-use or insufficient use within 4 years from grant of the patent, upon decision by the Higher Patent Chamber of the Russian Federation (Article 10(4)).
- (b) Industrial Designs: Patent Law of September 23, 1992, published in *Industrial Property*, March 1993.

### Main features:

- (i) Form of Protection: Industrial design patent (Article 3(1)).
- (ii) Filing of Applications: Request in Russian; other elements can be in other languages; translation into Russian must be submitted within 2 months. Foreign applicants must act through patent agents admitted to practice before ROSPATENT (Section 15).
- (iii) Exclusions: Solutions contrary to public interest, humanitarian principles or morality (Article 6(2)).
- (iv) Conditions of Patentability: Novelty, originality, industrial applicability (Article 6(1)).
- (v) Examination: Formal requirements and conditions of patentability (Article 24(1)).
- (vi) Opposition: With the Appeal Board, during term of protection (Article 29).
- (vii) Duration: 10 years from filing date with possibility of extension up to 5 years (Article 3(3)).

## Russian Federation

- (c) Trademarks: Law on Trademarks, Service Marks and Appellations of Origin of September 23, 1992, published in *Industrial Property*, April 1993.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 1).
  - (ii) Filing of applications: Request in Russian; other elements can be in other languages; translation into Russian must be submitted within 2 months. Foreign applicants must act through patent agents admitted to practice before ROSPATENT (Article 8).
  - (iii) Examination: Formal requirements (Article 11(1)) and absolute grounds of refusal and prior rights (Article 12(1)).
  - (iv) Opposition: With the Appeal Board. Opposition on absolute grounds for refusal during the term of registration; other grounds, within 5 years from publication of the registration (Article 28(1)).
  - (v) Duration: 10 years from filing date with possibility of renewal for further 10-year periods (Article 16).
- (d) Utility Models: Patent Law of September 23, 1992, published in *Industrial Property*, March 1993.

Main Features:

- (i) Form of Protection: Patent (Article 3(1)).
- (ii) Filing of Applications: Request in Russian; other elements can be in other languages; translation into Russian must be submitted within 2 months. Foreign applicants must act through patent agents admitted to practice before ROSPATENT (Article 15).
- (iii) Exclusions: Inventions contrary to public interest, humanitarian principles or morality; processes, substances, microorganism strains and cultures of plant or animal cells (Article 5(2)).
- (iv) Conditions of Patentability: Novelty, industrial applicability (Article 5(1)).
- (v) Grace Period: 6 months prior to filing date (Article 5(1)).
- (vi) Opposition: With the Appeal Board, during term of protection (Article 29).

## Russian Federation

- (vii) Duration: 5 years from filing date with possibility of extension up to 3 years (Article 3(3)).

### 3. Announcements

Announcement on Industrial Property Protection published in *Industrial Property*, April 1993.

### 4. Time Limits for Confirming Applications and Rights

Time limits for re-filing/re-registration with ROSPATENT of applications filed and titles granted in the former Soviet Union (further processing according to the legislation of the Russian Federation):

#### (a) Patents and Inventors' Certificates:

- (i) Applications: June 30, 1993, for applications filed before October 12, 1992, with the Patent Office of the former Soviet Union.
- (ii) Patents and Inventors' Certificates: Valid in the Russian Federation.
- (iii) PCT Applications Designating the Former Soviet Union:

Considered to be applications designating the Russian Federation and will automatically be processed as such. Where the acts for entering the national phase have been complied with within the applicable time limits under PCT, no action needs to be taken by applicants to confirm the continuation of these applications.

#### (b) Industrial Designs:

- (i) Applications: June 30, 1993, for applications filed before October 12, 1992, with the Patent Office of the former Soviet Union.
- (ii) Industrial Design Patents: Valid in the Russian Federation.

#### (c) Trademarks:

- (i) Applications: June 30, 1993, for applications filed before October 12, 1993, with the Patent Office of the former Soviet Union.
- (ii) Registered Trademarks: Valid in the Russian Federation.
- (iii) International Registrations: Valid in the Russian Federation.

## SLOVAKIA (SK)

Official Name:	Slovak Republic
Capital:	Bratislava
Population:	5,300,000
Sq. Km.:	49,400
Official Language:	Slovak

### Industrial Property Office:

Industrial Property Office of the Slovak Republic Partizánska cesta 9 97401 Banská Bystrica	Telephone: +(4288) 741 519 Telefacsimile: +(4288) 741 519
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Head: Ing. Martin Hudoba, President

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since January 1, 1993 (Czechoslovakia since December 22, 1970); Paris Convention since January 1, 1993 (Czechoslovakia since October 5, 1919); Madrid Agreement (Indications of Source) since January 1, 1993 (Czechoslovakia since September 30, 1921); Madrid Agreement (Marks) since January 1, 1993 (Czechoslovakia since October 5, 1919); Nice Agreement since January 1, 1993 (Czechoslovakia since April 8, 1961); Lisbon Agreement since January 1, 1993 (Czechoslovakia since September 5, 1966); Locarno Agreement since January 1, 1993 (Czechoslovakia since April 27, 1971); PCT since January 1, 1993 (Czechoslovakia since June 20, 1991); Strasbourg Agreement since January 1, 1993 (Czechoslovakia since August 3, 1978); Budapest Treaty since January 1, 1993 (Czechoslovakia since August 5, 1989); UPOV since January 1, 1993 (Czechoslovakia since December 4, 1991); Berne Convention since January 1, 1993 (Czechoslovakia since January 11, 1980).

### 2. Legislation

- (a) Patents: Law No. 527 of November 27, 1990, on Inventions, Industrial Designs and Rationalization Proposals published in *Industrial Property*, September 1991.

Main features:

- (i) Form of Protection: Patent (Article 3).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Industrial Property Office of the Slovak Republic (Article 70).

## Slovakia

- (iii) Exclusions: Public interest, inventions contrary to humanitarian principles or morality, plant or animal varieties and biological processes (Article 4).
  - (iv) Conditions of Patentability: Novelty, inventive step, industrial applicability (Article 3).
  - (v) Grace Period: 6 months prior to filing date (Article 5(4)).
  - (vi) Examination: Formal requirements. Conditions of patentability at request of the applicant or third party filed within 3 years from filing date or *ex officio* (Articles 30 and 33).
  - (vii) Publication: Applications published 18 months after priority date (Article 31(1)).
  - (viii) Opposition: With the Industrial Property Office of the Slovak Republic after publication of the application (Article 32). Opposition to the grant of the patent with the Industrial Property Office of the Slovak Republic during term of protection (Article 23).
  - (ix) Duration: 20 years from filing date (Article 21).
  - (x) Compulsory Licenses: For reasons of non-use or insufficient use, or where an important public interest is endangered, upon decision by the Industrial Property Office of the Slovak Republic (Article 20).
- (b) Industrial Designs: Law No. 527 of November 27, 1990, on Inventions, Industrial Designs and Rationalization Proposals, published in *Industrial Property*, September 1991.

### Main features:

- (i) Form of Protection: Industrial design (Article 40).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Industrial Property Office of the Slovak Republic (Article 70).
- (iii) Exclusions: Solutions contrary to public interest, humanitarian principles or morality (Article 40(2)).
- (iv) Conditions of Protection: Novelty, industrial applicability (Article 36(1)).
- (v) Examination: Formal requirements and conditions of protection (Article 51).

## Slovakia

- (vi) Opposition: With the Industrial Property Office of the Slovak Republic, during term of protection (Article 62).
  - (vii) Duration: 5 years from filing date with possibility of further extension for two 5-year periods (Article 54).
- (c) Trademarks: Trademark Law No. 174 of November 8, 1988, published in *Industrial Property*, October, 1989.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 7).
  - (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Industrial Property Office of the Slovak Republic (Article 27(3)).
  - (iii) Examination: Formal requirements and absolute grounds of refusal and prior rights (Article 12).
  - (iv) Opposition: With the Industrial Property Office of the Slovak Republic, during term of protection (Article 22).
  - (v) Duration: 10 years from filing date with possibility of renewal for further 10-year periods (Article 13).
  - (vi) Use Requirement: 5 years (Article 23).
- (d) Utility Models: Law No. 478 of September 24, 1992, on Utility Models.

Main features:

- (i) Form of Protection: Utility model (Article 7).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Industrial Property Office of the Slovak Republic (Article 21).
- (iii) Exclusions: Models contrary to humanity or public morality; plant varieties, animal breeds, as well as biological reproduction materials; production processes or work activities (Article 3).
- (iv) Conditions of Protection: Novelty, industrial applicability (Article 1).
- (v) Grace Period: 6 months prior to filing date (Article 4(3)).



## Slovakia

- (vi) Examination: Formal requirements and industrial applicability (Article 11).
- (vii) Opposition: With the Industrial Property Office of the Slovak Republic, during term of protection (Article 17).
- (viii) Duration: 4 years from filing date with possibility of further extension for two 3-year periods (Article 15).
- (e) Integrated Circuits: Law No. 529 of December 3, 1991, on the Protection of Topographies of Semiconductor Products.

### Main features:

- (i) Form of Protection: Registration of topography of semiconductor products (Article 17).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Industrial Property Office of the Slovak Republic (Article 18(2)).
- (iii) Conditions of Protection: Originality of character (Article 1).
- (iv) Examination: Formal requirements (Article 8).
- (v) Opposition: With the Industrial Property Office of the Slovak Republic, during term of protection (Article 14).
- (vi) Duration: 10 years from filing date, or, if it is earlier, from the first commercial exploitation (Article 9).
- (vii) Compulsory Licenses: For reasons of public interest, upon decision by the Industrial Property Office of the Slovak Republic (Article 12).

### 3. Announcements

Announcement on the Protection of Industrial Property in the Slovak Republic published in *Industrial Property*, March 1993.

### 4. Time Limits for Confirming Applications and Rights

#### (a) Patents:

- (i) Applications for patents filed with the former Federal Office of Inventions of Czechoslovakia and patents granted by that Office maintain their legal effect in the Slovak Republic.

## Slovakia

- (ii) PCT applications filed before January 1, 1993, designating the former Czechoslovakia, maintain their legal effect in the Slovak Republic. Where the applicant has not having entered the national phase, a translation of the application into the Slovak language before the end of the time limits under the PCT.
  - (iii) PCT applications irrespective of designation: Extension to the Slovak Republic possible if filed between January 1, 1993, and March 6, 1993.
- (b) Industrial Designs:
- Applications for industrial designs filed with the former Federal Office for Inventions of Czechoslovakia and industrial designs registered by that Office maintain their legal effect in the Slovak Republic.
- (c) Trademarks:
- (i) Applications for trademarks filed with the former Federal Office for Inventions of Czechoslovakia and trademarks registered by that Office maintain their legal effect in the Slovak Republic.
  - (ii) International registrations: October 1, 1994, with the International Bureau, for trademarks with territorial extension to the former Czechoslovakia effective prior to January 1, 1993.



## SLOVENIA (SI)

Official Name:	Slovenia
Capital:	Ljubljana
Population:	2,000,000
Sq. Km.:	20,300
Official Language:	Slovenian

### Industrial Property Office:

Slovenian Intellectual Property Office	Telephone: + (386-61) 112 322
Kotnikova 6	Telefacsimile: + (386-61) 318 983
P.O. 206	
61000 Ljubljana	

Head: Mr. Bojan Pretnar, Director

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since June 25, 1991 (Yugoslavia since October 11, 1973); Paris Convention since June 25, 1991 (Yugoslavia since February 26, 1921); Madrid Agreement (Marks) since June 25, 1991 (Yugoslavia since February 26, 1921); Hague Agreement since January 13, 1995; Nice Agreement since June 25, 1991 (Yugoslavia since August 30, 1966); Locarno Agreement since June 25, 1991 (Yugoslavia since October 16, 1973); PCT since March 1, 1994; Berne Convention since June 25, 1991 (Yugoslavia since June 17, 1930).

Declaration of continued application in Slovenia of the said WIPO treaties was deposited on June 12, 1992.

### 2. Legislation

(a) Patents: Law on Industrial Property of March 11, 1992, as amended by law of May 29, 1993, published in *Industrial Property*, December 1993.

Main features:

- (i) Form of Protection: Patent (Article 2); short-term patent (Article 76).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Slovenian Intellectual Property Office (Article 5).

## Slovenia

- (iii) Exclusions: Inventions contrary to law or morality (Article 12). For short-term protection, processes, animal and plant varieties (Article 76).
  - (iv) Grace Period: 12 months prior to filing date or priority date (Article 10).
  - (v) Examination: Formal requirements (Article 69). Conditions of patentability at request of the patentee or holder of an exclusive license by the ninth year of the patent term (Article 71). Examinations by an International Preliminary Examination Authority according to the PCT considered as evidence of patentability (Article 72). Articles 71 and 72 do not apply to short-term patents.
  - (vi) Publication: Applications published 18 months after filing date or priority date (Article 68).
  - (vii) Opposition: With the court (Article 87).
  - (viii) Duration: 20 years from filing date. The term may be extended for a maximum of 5 years for patents filed on or after January 1, 1993, if the subject matter of the patent is a product or a process of manufacturing a product or a use of a product which has to undergo an administrative procedure required by law before it can be put on the market (Article 37). 10 years for short-term patents.
  - (ix) Compulsory Licenses: For reasons of public interest or if the patentee misuses the patent, upon decision by the court (Article 113).
- (b) Industrial Designs: Law on Industrial Property of March 11, 1992, published in *Industrial Property*, October 1992.

Main features:

- (i) Form of Protection: Model right or design right (Article 2).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Slovenian Intellectual Property Office (Article 5).
- (iii) Exclusions: Solutions contrary to law or morality (Article 16).
- (iv) Conditions of Patentability: Novelty, essentially different, industrial applicability (Articles 14 and 15).
- (v) Examination: Formal requirements (Article 58).

## Slovenia

- (vi) Opposition: With the Slovenian Intellectual Property Office, within 3 months from publication of the application (Article 58).
  - (vii) Duration: 10 years from filing date (Article 37).
- (c) Trademarks: Law on Industrial Property of March 11, 1992, published in *Industrial Property*, October 1992.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 2).
  - (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Slovenian Intellectual Property Office (Article 5).
  - (iii) Exclusions: Marks which are contrary to law or morality (Article 19).
  - (iv) Examination: Formal requirements (Article 58).
  - (v) Opposition: With the Slovenian Intellectual Property Office, within 3 months from publication of the application (Article 58).
  - (vi) Duration: 10 years from filing date with possibility of renewal for further 10-year periods (Article 37).
3. Announcements

Announcement on the Protection of Industrial Property in Slovenia published in *Industrial Property*, July/August 1993.

#### 4. Time Limits for Confirming Applications and Rights

Time limits for re-filing/re-registration with the Slovenian Intellectual Property Office of applications filed with and titles granted by the former Federal Patent Office in Belgrade (further processing according to Slovenian legislation):

- (a) Patents:
  - (i) Applications: March 1, 1994, for applications filed before April 4, 1992, with the former Federal Patent Office in Belgrade.

## Slovenia

- (ii) Patents: March 1, 1994, for patents granted before April 4, 1992, by the former Federal Patent Office in Belgrade.
- (b) Industrial Designs:
  - (i) Applications: March 1, 1994, for applications filed before April 4, 1992, with the former Federal Patent Office in Belgrade.
  - (ii) Registered Industrial Designs: March 1, 1994, for industrial designs registered before April 4, 1992, by the former Federal Patent Office in Belgrade.
- (c) Trademarks:
  - (i) Applications: March 1, 1994, for applications filed before April 4, 1992, with the former Federal Patent Office in Belgrade.
  - (ii) International Registrations: March 1, 1994, with the International Bureau, for trademarks with territorial extension to Yugoslavia effective prior to April 4, 1992.

## TAJIKISTAN (TJ)

Official Name:	Republic of Tajikistan
Capital:	Dushanbe
Population:	5,700,000
Sq. Km.:	143,100
Official Language:	Tajik

### Industrial Property Office:

National Center for Patents and Information 14-a, Ainy Street 734042 Dushanbe	Telephone: +(7377-2) 275 977 275 987 Telefacsimile: +(7377-2) 217 154
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Head: Mr. Khabibullo F. Fayazov, Director

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since December 25, 1991 (Soviet Union since April 26, 1970); Paris Convention since December 25, 1991 (Soviet Union since July 1, 1965); Madrid Agreement (Marks) since December 25, 1991 (Soviet Union since July 1, 1976); Nice Agreement since December 25, 1991 (Soviet Union since July 26, 1971); Locarno Agreement since December 25, 1991 (Soviet Union since December 15, 1972); PCT since December 25, 1991 (Soviet Union since March 29, 1978); Strasbourg Agreement since December 25, 1991 (Soviet Union since October 3, 1976); Budapest Treaty since December 25, 1991 (Soviet Union since April 22, 1981); Nairobi Treaty since December 25, 1991 (Soviet Union since April 17, 1986).

Declaration of continued application in Tajikistan of the WIPO Convention, Paris Convention, Madrid Agreement (Marks), Nice Agreement, Locarno Agreement, PCT, Strasbourg Agreement, Budapest Treaty and Nairobi Treaty deposited on February 14, 1994.

### 2. Legislation

- (a) Patents: Provisional Regulations of Inventions, Utility Models and Industrial Designs of February 2, 1994.

Main features:

- (i) Form of Protection: Patent (no inventor's certificate, see, however, 4(a)) (Article 3(1)).



## Tajikistan

- (ii) Filing of Applications: In Tajik or Russian. Foreign applicants must act through patent agents admitted to practice before the National Center for Patents and Information of Tajikistan (Article 15).
  - (iii) Exclusions: Plant varieties and animal breeds, inventions contrary to public order, humanitarian principles or morality (Article 4(3)).
  - (iv) Grace Period: 6 months prior to filing date (Article 4(4)).
  - (v) Examination: Formal requirements. Conditions of patentability at request of the applicant or third party within 3 years from filing date (Article 21).
  - (vi) Publication: Applications published 18 months after filing date (Article 21(6)).
  - (vii) Opposition: With the Appeal Board, during term of protection (Article 29).
  - (viii) Duration: 20 years from filing date (Article 3(3)).
  - (ix) Compulsory Licenses: For reasons of non-use or insufficient use during 6 years from date of publication of the patent, upon decision by the court (Article 10(4)).
- (b) Industrial Designs: Provisional Regulations of Inventions, Utility Models and Industrial Designs of February 2, 1994.

### Main features:

- (i) Form of Protection: Patent (Article 3(1)).
- (ii) Filing of Applications: In Tajik or Russian. Foreign applicants must act through patent agents admitted to practice before the National Center for Patents and Information of Tajikistan (Article 15).
- (iii) Exclusions: Solutions contrary to public order, humanitarian principles or morality (Article 6(2)).
- (iv) Conditions of Patentability: Novelty, originality, industrial applicability (Article 6(1)).
- (v) Examination: Formal requirements. Conditions of patentability at request of the applicant or third party within 3 years from filing date (Article 24).
- (vi) Opposition: With the Appeal Board, during term of protection (Article 29).

## Tajikistan

(vii) Duration: 10 years from filing date with possibility of extension up to 5 years (Article 3(3)).

(c) Trademarks: Trademark Law of December 23, 1991.

Main features:

(i) Registrable Marks: Trademarks and service marks (Article 1).

(ii) Filing of Applications: In Tajik and Russian or other language; translation into Russian within 2 months. Foreign applicants must act through patent agents admitted to practice before the National Center for Patents and Information of Tajikistan (Article 9).

(iii) Examination: Formal requirements and absolute grounds of refusal and prior rights (Article 11(1)).

(iv) Opposition: With the Appeal Board, on absolute grounds during validity of the trademark; on other grounds, 5 years from date of publication of the trademark (Article 29(1)).

(v) Duration: 10 years from filing date with possibility of renewal for further 10-year periods (Article 16).

### 3. Announcements

Announcements on the Protection of Industrial Property in Tajikistan published in *Industrial Property*, February and May 1994.

Announcement on Extension of Time Limits published in *Industrial Property and Copyright*, June 1995.

### 4. Time Limits for Confirming Applications and Rights

Time limits for re-filing/re-registration with the National Center for Patents and Information of Tajikistan of applications filed and titles granted in the former Soviet Union (further processing according to Tajik legislation):

(a) Patents and Inventors' Certificates:

(i) Applications: December 31, 1995, for applications filed before August 16, 1993, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.

(ii) Patents: December 31, 1995.

## Tajikistan

(iii) PCT Applications Designating the Former Soviet Union:

December 31, 1995, or at the latest by the end of the time limits under the PCT for applications not having entered the national phase.

December 31, 1995, for applications that have entered the national phase.

December 31, 1995, for patents or inventors' certificates granted on basis of PCT applications.

(iv) PCT Applications Irrespective of Designation:

Extension to Tajikistan possible if filed between December 24, 1991, and April 15, 1994.

(b) Industrial Designs:

(i) Applications: December 31, 1995, for applications filed before August 16, 1993, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.

(ii) Industrial Design Patents: December 31, 1995.

(c) Trademarks:

(i) Applications: December 31, 1995, for applications filed before August 16, 1993, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.

(ii) Registered Trademarks: December 31, 1995.

(iii) International Registrations: April 30, 1995, with the International Bureau, for trademarks with territorial extension to the former Soviet Union effective prior to December 25, 1991.

## THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA (MK)

Official Name:	The former Yugoslav Republic of Macedonia
Capital:	Skopje
Population:	2,000,000
Sq. Km.:	25,700
Official Language:	Macedonian

Industrial Property Office:

Industrial Property Protection Office	Telephone: +(389-91) 220 232
Ministry of Development	224 269
Ilindenska b.b	Telefacsimile: +(389-91) 239 046
91000 Skopje	

Head: Mr. Gorgi Filipov, Director

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since July 23, 1993 (Yugoslavia since October 11, 1973); Paris Convention since July 23, 1993 (Yugoslavia since February 26, 1921); Madrid Agreement (Marks) since July 23, 1993 (Yugoslavia since February 26, 1921); Nice Agreement since July 23, 1993 (Yugoslavia since August 30, 1966); Locarno Agreement since July 23, 1993 (Yugoslavia since October 16, 1973); Berne Convention since July 23, 1993 (Yugoslavia since June 17, 1930).

Declaration of continued application in the former Yugoslav Republic of Macedonia of the WIPO Convention, Paris Convention, Madrid Agreement, Nice Agreement and Locarno Agreement deposited on July 23, 1993.

### 2. Legislation

(a) Patents: Act of Industrial Property of July 7, 1993.

Main features:

- (i) Form of Protection: Patent (Article 2).
- (ii) Filing of Applications: Foreign applicants must act through patents agents admitted to practice before the Industrial Property Protection Office of the former Yugoslav Republic of Macedonia (Article 10).

## **The former Yugoslav Republic of Macedonia**

- (iii) Exclusions: Inventions contrary to law or morality (Article 16).
  - (iv) Examination: Formal requirements (Article 71). Fulfillment of conditions of patentability must be submitted by the patentee or holder of an exclusive license not later than by the ninth year of the patent term (Article 73).
  - (v) Publication: Applications published 18 months after filing date or priority date (Article 70).
  - (vi) Opposition: With the Industrial Property Protection Office, at any time during the term of protection (Article 92).
  - (vii) Duration: 20 years from filing date (Article 40).
  - (viii) Compulsory Licenses: For reasons of non-use or insufficient use, or if an invention cannot be exploited without the use of another earlier patented invention, upon decision of the Industrial Property Protection Office (Articles 113 and 114).
- (b) Industrial Designs: Act of Industrial Property of July 7, 1993.

### Main features:

- (i) Form of Protection: Design and model right (Article 2).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Industrial Property Protection Office of the former Yugoslav Republic of Macedonia (Article 10).
- (iii) Exclusions: Solutions contrary to law or morality (Article 20).
- (iv) Conditions of Patentability: Novelty, industrial applicability (Article 18).
- (v) Examination: Formal requirements (Articles 18 to 20 and 60).
- (vi) Opposition: With the Industrial Property Protection Office, at any time during term of protection (Article 92).
- (vii) Duration: 10 years from filing date (Article 40).

## The former Yugoslav Republic of Macedonia

- (c) Trademarks: Act of Industrial Property of July 7, 1993.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 2).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the Industrial Property Protection Office of the former Yugoslav Republic of Macedonia (Article 10).
- (iii) Exclusions: Marks contrary to law or morality (Article 23).
- (iv) Examination: Formal requirements and absolute grounds of refusal and prior rights (Article 60). Novelty only in respect of previously protected trademarks in the former Yugoslav Republic of Macedonia (Article 61).
- (v) Opposition: With the Industrial Property Protection Office, at any time during validity of the trademark (Article 92).
- (vi) Duration: 10 years from filing date with possibility of renewal for further 10-year periods (Article 40).
- (vii) Use Requirement: 5 years from registration (Article 89).

### 3. Announcements

Announcements on the Protection of Industrial Property in the former Yugoslav Republic of Macedonia published in *Industrial Property*, September 1993 and September 1994.

### 4. Time Limits for Confirming Applications and Rights

Time limits for re-filing/re-registration with the Industrial Property Protection Office of the former Yugoslav Republic of Macedonia of applications filed with and titles granted by the former Federal Patent Office in Belgrade (further processing according to the legislation of the former Yugoslav Republic of Macedonia):

- (a) Patents:
  - (i) Applications: July 15, 1994, for applications filed before April 26, 1992, with the former Federal Patent Office in Belgrade.
  - (ii) Patents: July 15, 1995.

## **The former Yugoslav Republic of Macedonia**

(iii) PCT Applications: (Yugoslavia was not formerly a member of the PCT).

(b) Industrial Designs:

(i) Applications: July 15, 1994, for applications filed before April 26, 1992, with the former Federal Patent Office in Belgrade.

(ii) Registered Industrial Designs: July 15, 1995.

(c) Trademarks:

(i) Applications: July 15, 1994, for applications filed before April 26, 1992, with the former Federal Patent Office in Belgrade.

(ii) Registered Trademarks: July 15, 1995.

(iii) International Registrations: December 31, 1994, with the International Bureau, for trademarks with territorial extension to Yugoslavia effective prior to July 23, 1992.

## TURKMENISTAN (TM)

Official Name:	Turkmenistan
Capital:	Ashgabat
Population:	3,800,000
Sq. Km.:	488,000
Official Language:	Turkmen

### Industrial Property Office:

Patent Office of Turkmenistan	Telephone:	(73632) 29 51 57
P.B. 272 Krugozor	Telefacsimile:	(73632) 25 51 12
Main Post Office		
744000 Ashgabat		

Head: Mr. Rashid Agabaev, Chairman

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since December 25, 1991 (Soviet Union since April 26, 1970);  
Paris Convention since December 25, 1991 (Soviet Union since July 1, 1965); PCT  
since December 25, 1991 (Soviet Union since March 29, 1978).

Declaration of continued application in Turkmenistan of the WIPO Convention, Paris  
Convention and PCT deposited on March 1, 1995.

### 2. Legislation

(a) Patents: Patent Law of October 1, 1993.

Main features:

- (i) Form of Protection: Patent and provisional patent (Article 12(1)).
- (ii) Filing of Applications: Foreign applicants may file directly with the Patent Office of Turkmenistan.
- (iii) Exclusions: Plant varieties and animal breeds, inventions contrary to public interest, humanitarian principles or morality (Article 4(3)).
- (iv) Grace Period: 12 months prior to filing date (Article 4(4)).
- (v) Examination: Formal requirements (Article 26(1)). Conditions of patentability at request of the applicant or third party within 5 years from filing date (Article 26(8)).



## Turkmenistan

- (vi) Publication: Applications published 6 months after filing date (Article 26(6)).
  - (vii) Opposition: With the Appeal Board, during term of protection (Article 34).
  - (viii) Duration: 20 years for patent, 5 years for provisional patent, from filing date (Article 12(2)).
  - (ix) Compulsory Licenses: For reasons of non-use or insufficient use during 5 years from date of publication of the provisional patent, upon decision by the Appeal Board (Article 13(4)).
- (b) Industrial Designs: Patent Law of October 1, 1993.

Main features:

- (i) Form of Protection: Patent and provisional patent (Article 12(1)).
  - (ii) Filing of Applications: Foreign applicants may file directly with the Patent Office of Turkmenistan.
  - (iii) Exclusions: Solutions contrary to public interest, humanitarian principles or morality (Article 5(2)).
  - (iv) Conditions of Patentability: Novelty, originality, industrial applicability (Article 5(1)).
  - (v) Examination: Formal requirements (Article 26(1)). Conditions of patentability at request of the applicant or third party within 5 years from filing date (Article 27(2)).
  - (vi) Opposition: With the Appeal Board, during term of protection (Article 34).
  - (vii) Duration: 10 years for patent, 5 years for provisional patent, from filing date (Article 12(2)).
- (c) Trademarks: Patent Law of October 1, 1993.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 3(1)).
- (ii) Filing of Applications: Foreign applicants may file directly with the Patent Office of Turkmenistan.

## Turkmenistan

- (iii) Examination: Formal requirements and absolute grounds of refusal and prior rights (Article 30)
- (iv) Opposition: With the Appeal Board, at any time during validity of the trademark (Article 36).
- (v) Duration: 10 years from date of registration with possibility of renewal for further 10-year periods (Article 16).

### 3. Announcements

Announcements on the Protection of Industrial Property in Turkmenistan published in *Industrial Property and Copyright*, May 1995 and September 1995.

### 4. Time Limits for Confirming Applications and Rights

Time limits for re-filing/re-registration with the Patent Office of Turkmenistan of applications filed and titles granted in the former Soviet Union (further processing according to Turkmen legislation):

#### (a) Patents and Inventors' Certificates:

- (i) Applications: January 1, 1996, for applications filed before October 1, 1993, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.

- (ii) Patents: No time limit.

#### (iii) PCT Applications Designating the Former Soviet Union:

January 1, 1996, or at the latest by the end of the time limits under the PCT for applications not having entered the national phase.

January 1, 1996, for applications that have entered the national phase.

No time limits for patents or inventors' certificates granted on basis of PCT applications.

#### (iv) PCT Applications Irrespective of Designation:

Extension to Turkmenistan possible if filed between December 24, 1991, and May 2, 1995.

## Turkmenistan

(b) Industrial Designs:

- (i) Applications: January 1, 1996, for applications filed before October 1, 1993, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.
- (ii) Industrial Design Patents: No time limit.

(c) Trademarks:

- (i) Applications: January 1, 1996, for applications filed before October 1, 1993, with the Patent Office of the former Soviet Union or with the Patent Office of the Russian Federation.
- (ii) Registered Trademarks: No time limit.

## UKRAINE (UA)

Official Name:	Ukraine
Capital:	Kiev
Population:	51,900,000
Sq. Km.:	603,700
Official Language:	Ukrainian

### Industrial Property Office:

State Patent Office of Ukraine	Telephone: +(38044) 212 50 82
8 Lvov Square	Telefacsimile: +(38044) 212 34 49
254655 Kiev 53 GSP 655	

### For Trademark and Patent Registrations:

Patent Examination Center (NDCPE)	Telephone: +(38044) 295 85 88
State Patent Office	Telefacsimile: +(38044) 295 63 00
26, b. Lesi Ukrainki	
252133 Kiev	

Head: Mr. Valery L. Petrov, Chairman

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since April 26, 1970; Paris Convention since December 25, 1991 (Soviet Union since July 1, 1965); Madrid Agreement (Marks) since December 25, 1991 (Soviet Union since July 1, 1976); PCT since December 25, 1991 (Soviet Union since March 29, 1978); Berne Convention since October 25, 1995.

Declaration of continued application in Ukraine of the Paris Convention, Madrid Agreement and the PCT was deposited on September 21, 1992.

### 2. Legislation

- (a) Patents: Law on Protection of Inventions and Utility Models of December 15, 1993, published in *Industrial Property and Copyright*, June 1995.

Main features:

- (i) Form of Protection: Patent (no inventor's certificate, see, however, 4(a)) (Article 5).

## Ukraine

- (ii) Filing of Applications: In Ukrainian (Article 12(4)). Description may be filed in other languages with translation into Ukrainian within 2 months (Article 13(1)). Foreign applicants must act through patent agents admitted to practice before the State Patent Office of Ukraine (Article 4).
  - (iii) Exclusions: Plant and animal varieties and inventions contrary to public interest, humanitarian principles or morality (Article 5).
  - (iv) Grace Period: 12 months prior to filing date (Article 6).
  - (v) Examination: Formal requirements (Article 15(5)). Conditions of patentability at request of the applicant or third party filed within 3 years from filing date (Article 15(9)).
  - (vi) Publication: Applications published 18 months after filing date or priority date (Article 15(8)).
  - (vii) Opposition: With the Appeal Board, within 6 months from date of publication of the patent (Article 28).
  - (viii) Duration: 20 years from filing date (Article 5).
  - (ix) Compulsory Licenses: For reasons of national defense or public policy considerations, upon decision by the Cabinet of Ministers of Ukraine (Article 24). In case of non-use or insufficient use during 3 years from date of publication of the patent or discontinuation of use, upon decision of the Court (Article 26(1)).
- (b) Industrial Designs: Law on Protection of Industrial Designs of December 15, 1993, published in *Industrial Property and Copyright*, June 1995.

Main features:

- (i) Form of Protection: Patent (Article 2).
- (ii) Filing of Applications: In Ukrainian (Article 11(4)). Description may be filed in other languages with translation into Ukrainian within 2 months (Article 12(1)). Foreign applicants must act through patent agents admitted to practice before the State Patent Office of Ukraine (Article 4).
- (iii) Exclusions: Solutions contrary to public interest, humanitarian principles or morality (Article 5(1)).
- (iv) Conditions of Patentability: Novelty, industrial applicability (Article 6).

## Ukraine

- (v) Examination: Formal requirements (Article 14(5)).
  - (vi) Opposition: With the Appeal Board, within 6 months from date of publication of the patent (Article 25(2)).
  - (vii) Duration: 10 years from filing date with possibility of extension up to 5 years (Article 5(5)).
- (c) Trademarks: Law on Protection of Trademarks and Service Marks of December 15, 1993, published in *Industrial Property and Copyright*, June 1995.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 5).
- (ii) Filing of Applications: In Ukrainian (Article 7(4)). Foreign applicants must act through patent agents admitted to practice before the State Patent Office of Ukraine (Article 4(2)).
- (iii) Examination: Formal requirements and absolute grounds of refusal and prior rights (Article 10).
- (iv) Opposition: With the Appeal Board, within 6 months from date of publication of the trademark (Article 19(2)).
- (v) Duration: 10 years from filing date with possibility of renewal for further 10-year periods (Article 5(3)).

### 3. Announcements

Announcement on the Provisional Regulation concerning the Legal Protection of Industrial Property in Ukraine published in *Industrial Property*, June 1993.

### 4. Time Limits for Confirming Applications and Rights

Time limits for re-filing/re-registration with the State Patent Office of Ukraine of applications filed and titles granted in the former Soviet Union (further processing according to Ukrainian legislation):

- (a) Patents and Inventors' Certificates:
  - (i) Applications: September 18, 1993, for applications filed before December 25, 1991, with the Patent Office of the former Soviet Union.

## Ukraine

- (ii) Patents: September 18, 1993, for patents or inventors' certificates granted.
- (iii) PCT Applications Designating the Former Soviet Union:
  - September 18, 1993, or at the latest by the end of the time limits under the PCT for applications not having entered the national phase.
  - September 18, 1993, for applications that have entered the national phase.
  - September 18, 1993, for patents or inventors' certificates granted on basis of PCT applications.
- (iv) PCT Applications Irrespective of Designation:
  - Extension to Ukraine possible if filed between December 25, 1991, and September 18, 1993.
- (b) Industrial Designs:
  - (i) Applications: June 18, 1993, for applications filed before December 25, 1991, with the Patent Office of the former Soviet Union.
  - (ii) Industrial Design Patents: June 18, 1993.
- (c) Trademarks:
  - (i) Applications: June 18, 1993, for applications filed before December 25, 1991, with the Patent Office of the former Soviet Union.
  - (ii) Registered Trademarks: June 18, 1993.
  - (iii) International Registrations: December 31, 1993, with the International Bureau, for trademarks with territorial extension to the former Soviet Union effective prior to December 25, 1991.

## UZBEKISTAN (UZ)

Official Name:	Republic of Uzbekistan
Capital:	Tashkent
Population:	21,600,000
Sq. Km.:	450,000
Official Language:	Uzbek

### Industrial Property Office:

State Patent Office	Telephone: + (7-371-2) 33 45 56
2a, Fuchik Street	33 48 56
Tashkent 700047	Telefacsimile: + (7-371-2) 33 45 56

Head: Mr. Akil A. Azimov, Director

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since December 25, 1991 (Soviet Union since April 26, 1970); Paris Convention since December 25, 1991 (Soviet Union since July 1, 1965); Madrid Agreement (Marks) since December 25, 1991 (Soviet Union since July 1, 1976); PCT since December 25, 1991 (Soviet Union since March 29, 1978).

Declaration of continued application in Uzbekistan of the WIPO Convention deposited on May 5, 1993, and of the Paris Convention, Madrid Agreement and the PCT, on August 18, 1993.

### 2. Legislation

- (a) Patents: Law on Inventions, Utility Models and Industrial Designs of May 6, 1994.

#### Main features:

- (i) Form of Protection: Patent and provisional patent (no inventor's certificate, see, however, 4(a)) (Article 3).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the State Patent Office of Uzbekistan (Article 14).
- (iii) Exclusions: Plant varieties and animal breeds; inventions contrary to public interest, humanitarian principles or morality (Article 5).



## Uzbekistan

- (iv) Grace Period: 6 months prior to filing date (Article 5).
  - (v) Examination: Formal requirements. Preliminary examination in case of provisional patent (local novelty, industrial applicability).  
  
Conditions of patentability (absolute novelty, inventive step, industrial applicability) in case of patent for invention at request of the applicant or third party within 12 months from filing application or within validity period of provisional patent (Articles 20 and 21).
  - (vi) Publication: Patents and provisional patents published after registration in the State Register (Article 24).
  - (vii) Opposition: With the Appeal Board, during term of protection (Article 27).
  - (viii) Duration: 20 years for patent, 5 years for provisional patent, from priority date (Article 3).
  - (ix) Compulsory Licenses: For reasons of non-use or insufficient use within 3 years from grant of the patent, upon decision by the court (Article 11).
- (b) Industrial Designs: Law on Inventions, Utility Models and Industrial Designs of May 6, 1994.

Main features:

- (i) Form of Protection: Patent and provisional patent (Article 3).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the State Patent Office of Uzbekistan (Article 14).
- (iii) Exclusions: Solutions contrary to public order, humanitarian principles or morality (Article 7).
- (iv) Examination: Formal requirements. Preliminary examination in case of provisional patent (local novelty, industrial applicability).  
  
Conditions of patentability (absolute novelty, originality, industrial applicability) in case of patent for industrial design at request of the applicant or third party within 12 months from filing application or within validity period of provisional patent (Articles 20 and 21).
- (v) Opposition: With the Appeal Board, during term of protection (Article 27).
- (vi) Duration: 10 years for patent, from priority date, with possibility of extension up to 5 years; 5 years for provisional patent (Article 3).

## Uzbekistan

- (c) Trademarks: Law on Trademarks and Service Marks of May 7, 1993, published in *Industrial Property*, February 1994.

Main features:

- (i) Registrable Marks: Trademarks and service marks (Article 3(1)).
- (ii) Filing of Applications: Foreign applicants must act through patent agents admitted to practice before the State Patent Office of Uzbekistan (Article 7).
- (iii) Examination: Formal requirements (Article 12(1)) and absolute grounds of refusal and prior rights (Article 13(1)).
- (iv) Opposition: With the Appeal Board, at any time during validity of the trademark (Article 27).
- (v) Duration: 10 years from priority date with possibility of renewal for further 10-year periods (Article 23).

### 3. Announcements

Announcement on the Protection of Industrial Property in Uzbekistan published in *Industrial Property*, November 1993.

Announcement on the Extension of the Time Limits Indicated in the Announcement on the Protection of Industrial Property in Uzbekistan published in *Industrial Property*, June 1994.

### 4. Time Limits for Confirming Applications and Rights

Time limits for re-filing/re-registration with the State Patent Office of Uzbekistan of applications filed and titles granted in the former Soviet Union (further processing according to Uzbek legislation):

- (a) Patents and Inventors' Certificates:
  - (i) Applications: October 1, 1994, for applications filed before February 1, 1992, with the Patent Office of the former Soviet Union, or before October 1, 1992, with the Patent Office of the Russian Federation.
  - (ii) Patents: No time limit.

## Uzbekistan

(iii) PCT Applications Designating the Former Soviet Union:

October 1, 1994, or at the latest by the end of the time limits under the PCT for applications not having entered the national phase.

October 1, 1994, for applications that have entered the national phase.

No time limits for patents or inventors' certificates granted on basis of PCT applications.

(iv) PCT Applications Irrespective of Designation:

Extension to Uzbekistan possible if filed between December 24, 1991, and October 18, 1993.

(b) Industrial Designs:

(i) Applications: October 1, 1994, for applications filed before February 1, 1992, with the Patent Office of the former Soviet Union, or before October 1, 1992, with the Patent Office of the Russian Federation.

(ii) Industrial Design Patents: No time limit.

(c) Trademarks:

(i) Applications: October 1, 1994, for applications filed before February 1, 1992, with the Patent Office of the former Soviet Union, or before October 1, 1992, with the Patent Office of the Russian Federation.

(ii) Registered Trademarks: October 1, 1994.

(iii) International Registrations: 6 months from notice by the International Bureau, for trademarks with territorial extension to the former Soviet Union effective prior to September 1, 1991.

## YUGOSLAVIA (YU)

Official Name:	Federal Republic of Yugoslavia
Capital:	Belgrade
Population:	9,900,000
Sq. Km.:	88,400

### Industrial Property Office:

Federal Intellectual Property Office	Telephone: +(381-1) 222 11 62
Bulevar Avnoja 104	Telefacsimile: +(381-1) 222 23 77
11070 Belgrade	

Head: Mr. Blagota Žarković, Director

### 1. Membership in WIPO Intellectual Property Treaties

WIPO Convention since October 11, 1973; Paris Convention since February 26, 1921; Madrid Agreement (Marks) since February 26, 1921; Nice Agreement since August 30, 1966; Locarno Agreement since October 16, 1973; Budapest Treaty since February 25, 1994; Hague Agreement since December 30, 1993; Berne Convention since June 17, 1930.

### 2. Legislation

(a) Patents: Patent Law of March 21, 1995.

Text of legislation not available.

(b) Industrial Designs: Industrial Designs Law of March 21, 1995.

Text of legislation not available.

(c) Trademarks: Trademark Law of March 21, 1995.

Text of legislation not available.



## EURASIAN PATENT CONVENTION

1. The starting date of operation under the Eurasian Patent Convention,\* which was done at Moscow on September 9, 1994, is *January 1, 1996*. As from that date, the Eurasian Patent Office receives Eurasian patent applications and Eurasian patents can be sought\*\* in international applications under the PCT.

Name of the Office: Evraziiskoe patentnoe vedomstvo (EAPV)  
Eurasian Patent Office (EAPO)

Location and mailing address: M. Cherkassky per. 2/6, EAPV  
Moscow, Centre, GSP, 103621  
Russian Federation

Telephone: (70-95) 206 63 21

Facsimile: (70-95) 921 24 23

The President of the Eurasian Patent Office is Mr. Viktor I. Blinnikov.

2. By December 31, 1995, the following nine States (hereinafter referred to as “the Contracting States”) have deposited their instruments of accession to, or ratification of, the Eurasian Patent Convention with the Director General of the World Intellectual Property Organization: Armenia, Azerbaijan, Belarus, Kazakstan, Kyrgyzstan, Republic of Moldova, Russian Federation, Tajikistan and Turkmenistan.

3. The Convention allows anyone--irrespective of nationality or domicile--to obtain a Eurasian patent for invention, having effect in all the Contracting States, by filing a single application with, and making a single payment to, the Eurasian Patent Office in Moscow. The request part of an application for the grant of a Eurasian patent must be in Russian.  
Other

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\* For the text of the Eurasian Patent Convention, see Industrial Property Laws and Treaties, MULTILATERAL TREATIES - Text 2-013, *Industrial Property and Copyright*, July/August 1995.

\*\* For designation of States party to the Eurasian Patent Convention, see PCT Newsletter No. 11/1995, pages 1 and 6.

**[Eurasian Patent Convention, ctd.]**

parts of the Eurasian application may, at the moment of the filing of the application, be in Russian or in any other language. For any parts that are not in Russian, a Russian translation must be furnished by the applicant within two months following the date of receipt, by the Eurasian Patent Office, of the Eurasian application. The Eurasian Patent Office accepts the filing of applications by facsimile, but the signed original must reach the Office with 14 days.

4. The procedure in the Eurasian Patent Office follows the usual rules: there is an examination as to form; this is followed by search, publication after the expiry of 18 months from the priority date, substantive examination (which is done on the request of the applicant; such a request must be made before the expiry of six months from the date of publication of the search report), and grant or refusal of grant of the Eurasian patent.

5. If the grant of the Eurasian patent is refused, the applicant may transform his Eurasian application into national applications having the filing date and the priority date, if any, of the Eurasian application, in those Contracting States in which he wishes to obtain a national patent under the national procedure.

6. The granted Eurasian patent is not a bundle of national patents but has, in the Contracting States, a unitary legal effect governed by the Convention and the Patent Regulations adopted by the Administrative Council.

7. Any dispute concerning the validity in a given Contracting State, or an infringement in a given Contracting State, of a Eurasian patent will be decided by the national courts or other competent authorities of that State on the basis of the Convention and the Patent Regulations. Such a decision has legal effect only in the territory of that Contracting State.

8. In the case of a dispute, any national court or other competent authority of a Contracting State in which Russian is not a State language may require that the plaintiff furnish to it a translation of the Eurasian patent in the State language.

9. There is no requirement and no possibility to designate Contracting States in the Eurasian patent application. The Eurasian patent has effect on the territory of all Contracting States from the date of its publication by the Eurasian Patent Office. However, at the time when the annual maintenance fees are due and are paid, the owner of the patent must designate by name those Contracting States in which he wishes the effect of the patent to continue. Designations must be addressed to the Eurasian Patent Office, and the patent maintenance fees must be paid at the same time. A separate fee is payable in respect of each designated Contracting State.

10. Any person who has the right to be a representative before the national Patent Office of a Contracting State and who is registered with the Eurasian Patent Office as a patent agent may act as representative before the Eurasian Patent Office. Where the applicant does not have his residence or principal place of business in the territory of a Contracting State, he is required to be represented by a so registered patent agent.

**[Eurasian Patent Convention, ctd.]**

11. The fee to be paid at the filing of a Eurasian application (so called “unitary procedural fee”) is US\$ 800, plus US\$ 50 for each claim in excess of ten, if any. This fee covers also search and publication. This fee is reduced by 25% when the application, filed *via* the PCT, enters the regional phase before the Eurasian Patent Office and is accompanied by an international (PCT) search report. A further amount of US\$ 800 is payable when examination is requested. Finally, US\$ 500 are payable when the Eurasian patent is granted.

12. The list of registered patent agents, the schedule of fees and printed application (and other) forms are available from the Eurasian Patent Office.





**Summary Table of Membership of States of Central and Eastern Europe and Central Asia  
in WIPO Treaties in the Field of Industrial Property**

State												
Albania	W	P	MM	PCT								
Armenia	W	P	MM	PCT								
Azerbaijan	W	P	MM	PCT								
Belarus	W	P	MM	PCT								OS
Bosnia and Herzegovina	W	P	MM						N	LO		
Bulgaria	W	P	MM	PCT		BP	LI				MI	OS
Croatia	W	P	MM						N	LO		
Czech Republic	W	P	MM	PCT		BP	LI	IPC	N	LO	MI	
Estonia	W	P		PCT								
Georgia	W	P		PCT								
Hungary	W	P	MM	PCT	H	BP	LI		N	LO	MI	
Kazakstan	W	P	MM	PCT								
Kyrgyzstan	W	P	MM	PCT								
Latvia	W	P	MM	PCT		BP			N			
Lithuania	W	P		PCT								
Poland	W	P	MM	PCT		BP					MI	
Republic of Moldova	W	P	MM	PCT	H	BP						OS
Romania	W	P	MM	PCT	H							
Russian Federation	W	P	MM	PCT		BP		IPC	N	LO		OS
Slovakia	W	P	MM	PCT		BP	LI	IPC	N	LO	MI	
Slovenia	W	P	MM	PCT	H				N	LO		
Tajikistan	W	P	MM	PCT		BP		IPC	N	LO		OS
The former Yugoslav Republic of Macedonia	W	P	MM	PCT					N	LO		
Turkmenistan	W	P		PCT								
Ukraine	W	P	MM	PCT								
Uzbekistan	W	P	MM	PCT								
Yugoslavia	W	P	MM		H	BP			N	LO		
Total:	27	27	23	24	5	10	4	4	11	10	5	5

Abbreviations:

- W: WIPO Convention
- P: Paris Convention
- MM: Madrid Agreement (Marks)
- PCT: Patent Cooperation Treaty
- H: Hague Agreement (Industrial Designs)
- BP: Budapest Treaty (Microorganisms)
- LI: Lisbon Agreement (Appellations of Origin)
- IPC: Strasbourg Agreement (Classification)
- N: Nice Agreement (Classification)
- LO: Locarno Agreement (Classification)
- MI: Madrid Agreement (Indications of Source)
- OS: Nairobi Treaty (Olympic Symbol)



**Summary Table of Legislation in the Field of Intellectual Property  
in the States of Central and Eastern Europe and Central Asia**

	Patents	Utility Models	Industrial Designs	Trademarks	Integrated Circuits	Unfair Competition	Announcement
Albania	Law on Industrial Property of April 27, 1994						
Armenia	Law on Patents of August 21, 1993		Law on Patents of August 21, 1994	Provisional Regulations on Trademarks and Services Marks of August 19, 1995			May 1994 July 1994
Azerbaijan	Law No. 359 of October 28, 1992						May 1994 June 1995
Belarus	Law on Patents for Inventions of February 5, 1993		Industrial Designs Law of February 5, 1993	Law on Trademarks and Service Marks of February 5, 1993			January 1993 June 1993 February 1994
Bosnia and Herzegovina	Law on Patents and Distinctive Signs of July 18, 1993						
Bulgaria	Patent Law of March 18, 1993	Patent Law of March 18, 1993	Trademark and Industrial Design Law of December 2, 1967	Trademark and Industrial Design Law of December 5, 1967		Law on Protection of Competition of May 2, 1991	
Croatia	Industrial Property Law of April 2, 1992		Industrial Property Law of April 2, 1992	Industrial Property Law of April 2, 1992			October 1992 January 1995
Czech Republic	Law No. 14/1993 on measures for the Protection on Industrial Property. Law on Inventions Industrial Designs and Rationalizations Proposals (No. 527) of Nov. 27, 1990	Law No. 14/1993 on measures for the Protection on Industrial Property. Law on Utility Models (No. 478) of September 24, 1992	Law No. 14/1993 on measures for the Protection on Industrial Property. Law on Inventions, Industrial Designs and Rationalizations Proposals (No. 527) of November 27, 1990	Law No. 14/1993 on measures for the Protection on Industrial Property. Trademark Law (No. 137) of June 21, 1995	Law on the Protection of Topographies of Semi-Conductor Products (No. 529) of December 3, 1991	Law on the Protection of Competition (No. 63) of January 30, 1991	January 1993
Estonia	Patent Law of March 16, 1994	Utility Model Law of March 16, 1994-		Trademark Act of August 27, 1992			April 1993 July 1994
Georgia	Regulation on Inventions (Decree No. 302 of March 16, 1992)		Regulation on Industrial Designs (Decree No. 304 of March 15, 1992)	Regulation on Trademarks (Decree No. 303 of March 16, 1992)			April 1993 May 1994



	Patents	Utility Models	Industrial Designs	Trademarks	Integrated Circuits	Unfair Competition	Announcements
Hungary	Law on Patents (No. XXXIII of April 25, 1995)	Law on the Protection of Utility Models (No. XXXVIII of 1991)	Law Decree on Industrial Designs (No. 28 of 1978)	Law on the Protection of Trademarks (No. III of 1969)	Law on the Protection of the Topographies of Microelectronic Semiconductor Products (No. XXXIX of 1991)	Law No. LXXXVI of 1990 on the - Prohibition of Unfair Economic Activities	
Kazakstan	Patent Law of June 24, 1992	Patent Law of June 24, 1992	Patent Law of June 24, 1992	Trademark Law of January 18, 1993			April 1993 February 1994
Kyrgyzstan	Provisional Regulations on Industrial Property of August 2, 1993	same as patents	same as patents	same as patents			December 1993, May and September 1994
Latvia	Patent Law of March 2, 1993		Law on Industrial Designs of May 4, 1993	Trademarks Law of March 9, 1993			June 1992
Lithuania	Patent Law of January 18, 1994		Industrial Designs Law of September 1, 1995	Law on Trademarks and Service Marks of June 3, 1993		Law No. 1-2878 of September 15, 1992, on Competition	July 1992 May 1993
Poland	Law on Inventive Activity of October 19, 1972, amended in 1984, and in 1992	Law on Inventive Activity of October 19, 1972	Decree on the Protection of Industrial Designs of January 29, 1963	Law on Trademarks of January 31, 1985, as amended in 1994	Law on the Protection of Topographies of Integrated Circuits of December 1992	Law on Combatting Unfair Competition of April 16, 1993 + Law on Counteracting Monopolistic Practices of February 24, 1990	
Republic of Moldova	Patents Law of September 28, 1995	Provisional Regulations Concerning the Protection of Industrial Property of July 26, 1993	Provisional Regulations Concerning the Protection of Industrial Property of July 26, 1993	Provisional Regulations Concerning the Protection of Industrial Property of July 26, 1993			November 1993 May 1994
Romania	Patents Law No. 64 of October 11, 1991		Industrial Design Law No. 129 of December 29, 1992	Law on Trademarks No. 28 of December 28, 1967	Law No. 16 of March 6, 1995, on the Protection of Topographies of Integrated Circuits	Law on Combatting Unfair Competition No. 11 of January 29, 1991	



	<b>Patents</b>	<b>Utility Models</b>	<b>Industrial Designs</b>	<b>Trademarks</b>	<b>Integrated Circuits</b>	<b>Unfair Competition</b>	<b>Announcement</b>
Russian Federation	Patent Law of September 23, 1992	Patent Law of September 23, 1992	Patent Law of September 23, 1992	Trademark Law of September 23, 1992	Law on Integrated Circuits of September 23, 1992		April 1993
Slovakia	Law on Inventions, Industrial Designs and Rationalizations Proposals (No. 527) of November 27, 1990	Law on Utility Models (No. 478) of September 24, 1992	Law on Inventions, Industrial Designs and Rationalizations Proposals (No. 527) of November 27, 1990	Trademark Law (No. 174) of November 8, 1988	Law on the Protection of Topographies of Semi-Conductor Products ( No. 529) of December 3, 1991	Law on the Protection of Competition (No. 188) of July 8, 1994	January 1993 March 1993
Slovenia	Law on Industrial Property of March 11, 1992		Law on Industrial Property of March 11, 1992	Law on Industrial Property of March 11, 1992			September 1992 July 1993
Tajikistan	Provisional Regulations of February 2, 1994	same as patents	same as patents	Trademark Law of December 23, 1991			February 1994 May 1994 June 1995
The former Yugoslav Republic of Macedonia	Act of Industrial Property of July 7, 1993	same as patents	same as patents	same as patents			
Turkmenistan	Patent Law of October 1, 1993		same as patents	same as patents			May 1995 September 1995
Ukraine	Patent Law of December 15, 1993	same as patents	Industrial Designs Law of December 15, 1993	Trademark Law of December 15, 1993			October 1992 December 1992 June 1993
Uzbekistan	Law on Inventions, Utility Models and Industrial Designs of May 6, 1994	same as patents	same as patents	Trademark Law of May 7, 1993			November 1993 June 1994
Yugoslavia	Patent Law of March 21, 1995		Industrial Designs Law of March 21, 1995	Trademark Law of March 21, 1995			



