

# PROTECTION OF INTELLECTUAL PROPERTY RIGHTS IN THE EURASIAN ECONOMIC UNION

## EURASIAN ECONOMIC UNION



## STRUCTURE

HIGH COUNCIL	PRESIDENTS OF MEMBER STATES	AT LEAST ONE SESSION PER YEAR
INTERGOVERNMENTAL COUNCIL	PRIME-MINISTERS OF MEMBER STATES	AT LEAST TWO SESSIONS PER YEAR
EURASIAN ECONOMIC COMMISSION	COLLEGIUM   BOARD	LOCATION: MOSCOW, RUSSIAN FEDERATION
COURT	2 JUDGES FROM EACH MEMBER STATE	LOCATION: MINSK, BELARUS

## INTELLECTUAL PROPERTY

\*SECTION 23, ART.89-91 OF THE TREATY ON THE EAEU; ADDENDUM 26 TO THE TREATY

### NEW

#### TRADEMARKS

NATIONAL TRADEMARK | TRADEMARK OF THE UNION

REGIONAL EXHAUSTION OF RIGHTS

#### APPELLATIONS OF ORIGIN

NATIONAL APPELLATION OF ORIGIN | APPELLATION OF ORIGIN OF THE UNION

### TRADITIONAL

- COPYRIGHTS
- RELATED RIGHTS
- PATENTS
- TOPOLOGIES OF INTEGRAL CIRCUITS
- SELECTION INVENTIONS
- KNOW-HOW

# MEASURES ON BORDER

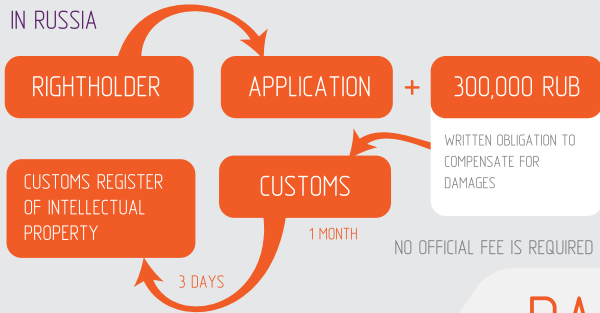
\*CUSTOMS CODE OF THE CUSTOMS UNION

## CUSTOMS REGISTER

CUSTOMS REGISTER OF THE UNION  
HAS NOT BEEN CREATED YET

NATIONAL CUSTOMS REGISTER  
TRADEMARKS

PROCESS OF ENTERING IP OBJECTS INTO THE CUSTOMS REGISTER IN RUSSIA



## EX-OFFICIO

CONTROL OF INTERNATIONAL PRIVATE PARCELS

CONTROL USING STATE INTELLECTUAL PROPERTY REGISTERS

## POST-CONTROL

POST CONTROL CAN BE MADE UPON A REQUEST OF ANY PERSON OR AT A SOLE DISCRETION OF CUSTOMS OFFICE

POST CONTROL CAN BE MADE WITHIN 3 YEARS AFTER THE GOODS HAVE BEEN RELEASED

POST CONTROL CAN BE CARRIED OUT IN TWO WAYS: CAMERAL CUSTOMS CHECK, ON-SITE CUSTOMS CHECK

# PARALLEL IMPORT

## INTERNATIONAL PRINCIPLE OF EXHAUSTION OF RIGHTS



## NATIONAL PRINCIPLE OF EXHAUSTION OF RIGHTS



## ADVANTAGES

- ↑ PROTECTION ON BORDER
- ↑ PROTECTION OF INVESTMENT
- ↓ AMOUNT OF COUNTERFEIT AND GREY GOODS

## REGIONAL PRINCIPLE

## DISADVANTAGES

- ↑ MONOPOLIZATION
- ↓ COMPETITION
- ↑ PRICES

## ECONOMIC AREAS WHICH HAVE BEEN MOSTLY AFFECTED

- 🚗 SPARE CAR PARTS
- ⚡ PHARMACEUTICALS AND MEDICAL DEVICES
- 🍔 FOOD AND BEVERAGES
- 🧴 HOUSEHOLD CHEMICAL GOODS AND PERFUMERY

## MODIFIED REGIONAL PRINCIPLE

PARTIAL LEGALIZATION OF PARALLEL IMPORT

## INTERNATIONAL PRINCIPLE WITH EXEMPTIONS

PROHIBITION OF PARALLEL IMPORTATION ONLY FOR THE RIGHTHOLDERS WHO HAVE LOCALIZED MANUFACTURING WITHIN THE EAEU

## REGIONAL PRINCIPLE WITH EXEMPTIONS

IN CASE OF UNFAIR CONDUCT OF THE RIGHTHOLDER, ITS RIGHT TO PROHIBIT PARALLEL IMPORT MAY BE RESTRICTED TEMPORALLY OR PERMANENTLY