

The global IP **Matrix**

ISSUE 19

AI or Nay:
Navigating Legal Challenges of
Generative AI

**'Non-use Cancellation Actions in
Turkey: The Turkish PTO takes
over authority from the Courts,
so what now? Uncertainties
Remaining**

**Looking Seriously at the
Economic Value of Intellectual
Property in Jamaica**

**Digital Media Piracy and
Copyright Enforcement:
Effectiveness of Copyright
Enforcement Mechanisms in
Nigeria and other African
Countries**

**Protection of Computer/Software
Programmes in Sri Lanka**

**The Future of Mobility: A
Three-Way Race Between
Hybrid, Hydrogen, and
Electric Propulsion**

+ much more inside



**Interview with the
EAPO President,
Dr. Grigory Ivliev, on the
30th Anniversary of the
Eurasian Patent Convention**

Dr. Alexey Vakhnin

Russian Trademark and Patent Attorney,
Eurasian Patent Attorney at Vakhnina & Partners.

**Vakhnina
& Partners**

Eurasian Patent
and Trademark Attorneys



PatWorld

Patent Intelligence Platform & Research Services

• www.patworld.com • mail@patworld.com • +44 (0)1633 816601

Interview with the EAPO President, Dr. Grigory Ivliev, on the 30th Anniversary of the Eurasian Patent Convention

Dr. Alexey Vakhnin of Vakhnina & Partners sits down with Dr. Grigory Ivliev to give you an insightful interview regarding the anniversary of the Eurasian Patent Convention and the developments of the Eurasian Patent Office.

www.vakhnina.ru

Author Bios -

Dr. Grigory Ivliev is the President of the Eurasian Patent Office (EAPO). He was formerly the Head of the Federal Service for Intellectual Property (Rospatent). The Eurasian Patent Office (EAPO) is an executive body of the Eurasian Patent Organisation, administering the regional patent registration system covering eight countries of the Eurasian region. He objects to IP rights protection for inventions and industrial designs. **Member States: Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, Turkmenistan.**

Dr. Alexey Vakhnin is Partner and Managing Director of Vakhnina and Partners, a Russian and Eurasian Patent and Trademark Attorney Firm. He is a Eurasian Patent Attorney and patent and Trademark Attorney of the Russian Federation with extensive experience in IP since the 1990s. Having a Ph.D. in Medicine (Biochemistry and Immunology), while working on patent matters, Alexey specialises in Medicine, Biotechnology, Biochemistry, and Pharmacology.

Dr. Vakhnin is a member of the Eurasian Patent Attorneys Assembly (EPAA), FICPI, AIPPI, LESI, INTA, ECTA, PTMG, etc.

September 9, 2024, will mark the 30th anniversary of the signing of the Eurasian Patent Convention, an international treaty establishing the Eurasian patent system.

The Eurasian Patent Organisation unites eight countries: Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, and Turkmenistan. The Eurasian Patent Office is an executive body administering the regional system of legal protection of inventions and industrial designs on the basis of a single Eurasian patent.



Dr. Grigory Ivliev
EAPO President



Dr. Alexey Vakhnin
Trademark and Patent Attorney
at Vakhnina & Partners

“Over the past
30 years,
the
**Eurasian
Patent Office**
has shown
**serious
professional
growth and
strengthened
its position
among other
Patent Offices
and consolidated
the
highest quality
of expertise and
office work”**

Opening remarks by Alexey Vakhnin

The 30th anniversary of the Eurasian Patent System, which is celebrated this year, 2024, is an important date for the Intellectual Property of all countries in the region.

I visited the Eurasian Patent Office for the first time as a student. I was lucky enough to see the growth and development of this international organisation. At that time, it did not even occur to me to dream that one day I would become a Eurasian Patent Attorney. I was lucky to study at numerous seminars and lectures held by the EAPO many years ago. Later, I met the first President of EAPO, Dr. Victor Blinnikov, and the following Presidents of the EAPO, Dr. Alexander Grigoriev and Ms. Saule Tlevlesova.

Over the past 30 years, the Eurasian Patent Office has shown serious professional growth and strengthened its position among other Patent Offices and consolidated the highest quality of expertise and office work, which for many other Patent Offices in different countries is a level to which one should strive. Therefore, it is a great honour for me to ask questions and present an exclusive interview for **The Global IP Matrix Magazine** with the **President of the EAPO, Dr Grigory Ivliev.**

.....

What does this anniversary mean to you?

Dr. Grigory Ivliev: The anniversary is a good opportunity to remember the history and the people who initiated the establishment of the Eurasian patent system and to look to its future.

The founders of the Eurasian Patent Convention (EAPC) and the Eurasian Patent Organisation are greatly appreciated and respected by the officials of the Eurasian Patent Office. We first pay tribute to the honourable memories of Dr. Victor Blinnikov, the first President of the Eurasian Patent Office, and Dr. Arpad Bogsch, WIPO Director General. The process of EAPC drafting and signing could have been significantly delayed without his support.

Dr. Bogsch's diplomatic talent helped to successfully complete not only the preparation of the Convention but also its signing and ratification by the Contracting States.

It is important to acknowledge the efforts of our colleagues from the European Patent Office, who shared their experience throughout the EAPC preparation process and contributed to the development of the Eurasian Patent Office.

We can evaluate differently whether 30 years is a significant term. But we have achieved a lot during these years. We have managed to establish a modern regional patent office with a high level of examination. A diverse team of professionals was assembled, competent to deal with the challenges of the time. Currently, we have a competent digital patent office that meets all modern examination and information technology requirements.

.....

How do you evaluate the evolution of the EAPO over 30 years?

We are proud of the significant growth our Organisation has experienced since 1994.

One of the main reasons for the establishment of the EAPO was the lack of IP protection capacities in almost all independent states that emerged after the collapse of the USSR. There were neither searchable patent information funds nor qualified patent examiners to examine applications for inventions.

Each EAPO Member State currently has its own patent system and national Patent Office. At the same time, the EAPO has been working and developing steadily.

“A Eurasian patent is valid once granted in all Member States without additional validations and translations. Our straightforward and cost-effective procedure requires filing only one application in one language and paying one set of fees”

Following a period of formation and accumulation of its patent office's expertise, we are currently engaged in a new phase of the Organisation's development, including expanding its competencies and functions. Protocol to the Eurasian Patent Convention on the Protection of Industrial Designs, which expanded the mandate of the Organisation, was signed five years ago. Since June 1, 2022, the Eurasian Patent Office has accepted industrial design applications. The system has retained all the advantages of the centralised procedure for obtaining protection. It is still under development, but the geography of applicants has expanded to 26 countries within a short period of time.

The Eurasian Patent Office started functioning as an International Searching Authority and an International Preliminary Examining Authority under the Patent Cooperation Treaty (PCT) in 2022. The acknowledgement of the high quality of the examination and the Office's work is a milestone for us.

We are advancing projects with the EAPO Member States to develop a common information and examination space, improve the efficiency of examination, and incorporate advanced digital tools into our work.

.....

Why do you think the Eurasian patent system has proved to be sustainable and successful?

This is primarily because the Eurasian patent system is a business-driven instrument. The regional tool of legal protection diminishes trade and economic barriers caused by the territorial nature of IP rights. The common patent space is also relevant because 5 out of 8 EAPO countries are members of the Eurasian Economic Union, which has its “four freedoms” space. The Eurasian system is the most appropriate option for those who need protection in several countries at once.

Secondly, the Eurasian patent system is very flexible. A Eurasian patent is valid once granted in all Member States without additional validations and translations. Our straightforward and cost-effective procedure requires filing only one application in one language and paying one set of fees. The patent for an invention can be maintained only in those countries that are of business interest.

The third essential factor is the quality of the Eurasian patent. The EAPO is an independent intergovernmental organisation. We can attract the best professionals from all Member States. Panels of examiners from different countries make decisions on each patent.

The professional team helps to strengthen the quality management system. A friendly team of multilingual specialists from different countries and confessions

has been assembled. They have a good knowledge of the development process and the specifics of the patent systems in the EAPC Contracting States. This diversity is undoubtedly our strength. Last year, we launched a fellowship programme to expand the number of young examiners from the countries least represented in the EAPO. As for the diversity, I also want to mention that the proportion of female employees exceeds that of men. Women are well represented in leadership positions.

.....

What other measures has the Eurasian Patent Office taken to ensure the quality of the examination?

The provision of high-quality services is a priority aspect of our Development Programme until 2028. The Eurasian Patent Office has adopted the necessary regulatory documents and formed specialised divisions for both internal and external control as well as for continuous monitoring to implement a comprehensive Quality Management Policy. We adhere to the highest international standards in our work.

I would like to emphasise that the development of the user feedback system is an important element of quality. The Assembly of Eurasian Patent Attorneys was established in April 2023. For the Eurasian Patent Office, it is a valuable information source from the professional community and a platform for discussing consolidated views on the development of the Eurasian patent system for the benefit of users.

We are developing a new integrated information system that will simplify online interaction with users of our services and administrative processes in the Eurasian Patent Office. We are upgrading our information systems to make electronic services as convenient as possible and in accordance with applicants' needs.

.....

Does the geopolitical situation affect the Eurasian Patent Office's quality of work?

No, the patent examination has not undergone any changes. Despite a lot of fake news, I can confidently state that we are still entirely fulfilling our commitments to applicants and rights holders from all countries in strict compliance with international treaties governing IP protection.

“ For the Eurasian Patent Office, it is a valuable information source from the professional community and a platform for discussing consolidated views on the development of the Eurasian patent system for the benefit of users”



I have repeated my position many times on different international platforms: I strongly believe that the IP system must remain exclusively within the legal framework. Any discriminatory measures in the IP field are destructive and cause legal uncertainty.

In 2022 and 2023, the number of applications to the Eurasian Patent Office remained stable. The structure of applications remained the same: applicants from the United States and European countries continued to be among the top.

“With due regard to the requirements of national legislation, the Member States will determine whether to use information from the Pharmaceutical Register as official”

What fields of technology are most often patented?

As in recent years, applications for inventions in the fields of organic chemistry, pharmaceuticals and medicines accounted for the largest number of Eurasian applications in 2023.

Medicine and pharmaceuticals are the fields in which patent protection is of particular importance. Within its mandate, the Eurasian Patent Office is developing the Eurasian Pharmaceutical Register (Pharmaceutical Register) as a source of information on the exclusive rights to inventions related to active pharmaceutical ingredients. It includes both Eurasian and national patents.

Regulations on the Eurasian Pharmaceutical Register were adopted in December 2023. It identifies possible mechanisms for determining the legal status of information contained therein. With due regard to the requirements of national legislation, the Member States will determine whether to use information from the Pharmaceutical Register as official.

You have mentioned the Development Programme until 2028. What kind of document is it, and what aspects of the EAPO’s functioning do you find most important?

It is a medium-term planning document. In May 2023, the Administrative Council, which serves as the EAPO governing body and comprises the heads of the IP Offices of the EAPO Member States, approved the EAPO Development Programme. The document includes eight main development areas.

In addition to improving the quality standards of the Office’s products and services, the Office will keep

working towards the formation of a common Eurasian information and examination space. The aim is to ensure the highest possible harmonisation level of approaches to granting patent protection.

Specifically, the Eurasian Patent Office has developed the EA-PPH Patent Prosecution Highway Programme in cooperation with the patent offices of the EAPO Member States. An Eurasian project was developed to electronically exchange copies of priority documents when seeking priority under the Paris Convention for the Protection of Industrial Property. Apart from the traditional objectives that offices address under the PPH, namely, to reduce duplication of patent search and examination work and to reduce costs for offices and applicants, the EA-PPH programme is a basis for harmonising substantive examination approaches throughout the region and sharing best examination practices across Eurasia.

Furthermore, we are implementing projects related to cooperation in the fields of search and examination of inventions. They include agreements on patent search and preparation of patentability reports by EAPO examiners at the request of national offices of the EAPC Contracting States. Finally, we launched a patent outsourcing project. Upon accreditation, leading scientific and educational organisations of the Eurasian region are eligible to participate in this project to conduct patent searches and prepare reports on the patentability of inventions in specific fields of technology, in which such organisations’ high scientific and professional expertise is confirmed. This ensures the quality and reliability of granted patents for inventions valid across the Eurasian region.

The Programme also highlights the digitalisation of the EAPO, which includes the introduction of modern approaches using big data technologies, artificial intelligence, machine learning, etc.

Moreover, the Development Programme envisages the development of the Pharmaceutical Register, expanding international cooperation, and developing educational projects, which EAPO implements jointly with the Member States.

Some ambitious objectives include expanding the Eurasian system to include the Eurasian trademark and utility model and improving the dispute resolution system regarding IP objects with the regional scope of protection.

Overall, the Eurasian Patent System has proven to be the most effective in its 30 years of functioning. The Eurasian Patent Office will continue to strive for its further dynamic development with the EAPO Member States’ support.

Dr. Alexey Vakhnin: Dr. Ivliev, thank you for your detailed and informative interview! At the end of the interview, I wish the Eurasian Patent Office further professional growth and development, an increase in the number of participating countries, and a growth in the number of applications filed and patents registered. I hope that in the near future, we will also see the development of new directions in the registration of Utility Models and perhaps even Eurasian Trademarks.

Once again, I congratulate you on EAPO’s 30th anniversary and wish you and your team all the best!

VAKHNINA & Partners, Russia

Trademarks
Patents
Utility models
Designs

ip@vakhnina.com
www.vakhnina.com
+7-495-946-7075
Russia, Armenia, Kyrgyzstan

RUSSIA | ARMENIA | KYRGYZSTAN | AZERBAIJAN | BELARUS | GEORGIA | KAZAKHSTAN
MOLDOVA | TAJIKISTAN | TURKMENISTAN | UKRAINE | UZBEKISTAN



Trademarks



Trademark
search



Trademark
prosecution



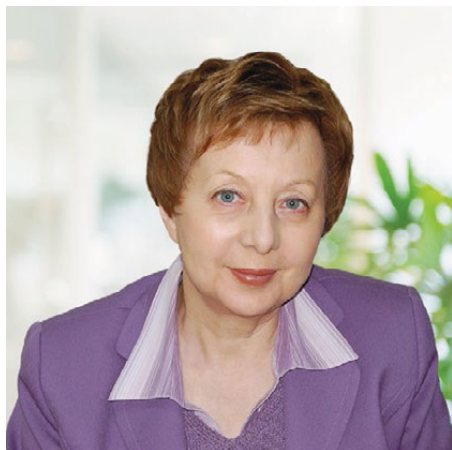
Trademark
monitoring



Trademark
litigation

VAKHNINA & Partners, Russia

Our Leading
Trademark Attorneys



Tatiana Vakhnina

Russian Trademark and Patent Attorney, Eurasian Patent Attorney

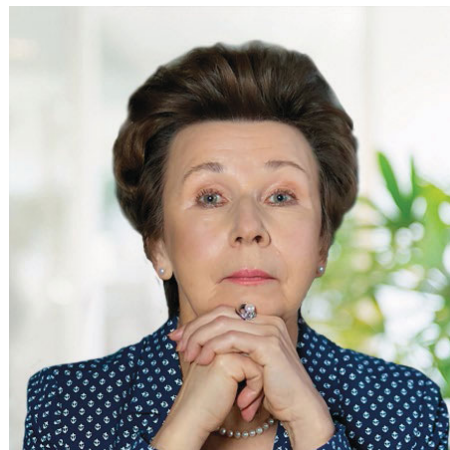
Specializes in trademarks (prosecution, litigation), copyright law, and patents (mechanical and electrical engineering).



Alexey Vakhnin

Russian Trademark and Patent Attorney, Eurasian Patent Attorney

Specializes in area of Medicine, Biotechnology, Biochemistry, Pharmacology, Pharmaceuticals.



Elena Ivanushkina

Russian Trademark Attorney


Specializes in trademarks: prosecution, opposition, trademark disputes, dealing with international registrations and refusals.

Contacts:

Russia:
ip@vakhnina.com

Armenia:
am@vakhnina.com

Kyrgyzstan:
kg@vakhnina.com



EAPO

EURASIAN PATENT OFFICE

1 INTELVA
APPLICATION
LANGUAGE
SET OF FEES
EXAMINATION
PATENT ATTORNEY

Eurasian patents

- | inventions
- | industrial designs

8
STATES



International
Searching Authority

International
Preliminary
Examining Authority

Eurasian Patent Office
<https://www.eapo.org>
info@eapo.org

