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The Eurasian Pharmaceutical Register: An Instrument for Pharmaceutical Companies

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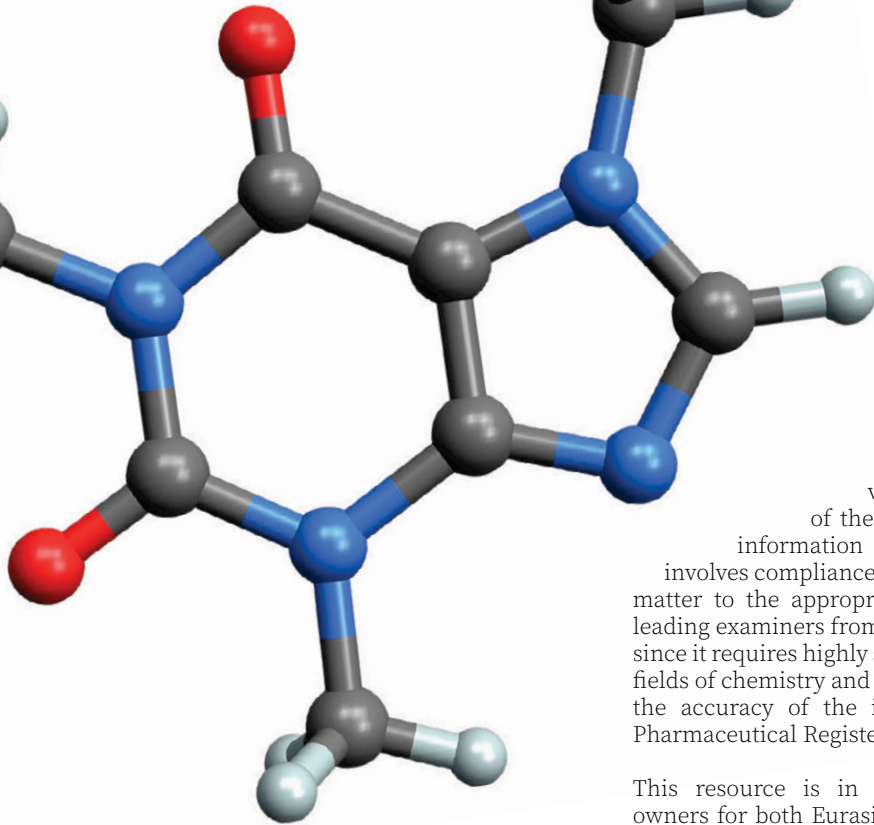
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“The
Pharmaceutical
Register
is a publicly
available
information
resource
that provides
free
access to
the information
contained
therein”

The Eurasian Pharmaceutical Register (Pharmaceutical Register) is a unique information resource that consolidates data on patent rights to active pharmaceutical ingredients (API) having international nonproprietary names (INN), the legal status of such patents, registered medicinal products, and license agreements concerning the above-mentioned API on the territory of eight Eurasian Patent Convention (EAPC) Contracting States. The Pharmaceutical Register is formed and maintained by the Eurasian Patent Office (EAPO).

The Pharmaceutical Register was created in 2021 to inform interested parties about the exclusive rights to API-related inventions protected in the Eurasian patent space. Initially, it contained information only on Eurasian patents. In 2022, its scope was expanded by adding national patents due to the interest of the EAPC Contracting States in this resource.





The Pharmaceutical Register is a publicly available information resource that provides free access to the information contained therein. It includes Eurasian and national patents for inventions protecting API, namely, patents for chemical compounds, biotechnological products, processes of production of such products (since the process provides indirect protection to the obtained product), new combinations and medical uses of API. The information in the Pharmaceutical Register is grouped by INN, allowing searching by patent number, name of patent holder and INN. It includes comprehensive, up-to-date information on the legal status of the patent, specifying its validity on the territory of each EAPC Contracting State, patent term extension, lapse of the patent due to non-payment of maintenance fees or its invalidation on the territory of any state. The patent included in the Pharmaceutical Register is directly linked to the Eurasian Patent Register on the EAPO website, where users can find detailed information on the legal status of the patent, including transfers of rights, as well as the patent specification containing claims.

Information is included in the Pharmaceutical Register at the request of patent owners. However, the EAPO may also enter information on Eurasian patents involving registered medicinal products on the territories of the EAPC Contracting States. It aims to provide more complete information on patent rights in view of the informational nature of the register.

It is worth noting that the inclusion of Eurasian and national patents in the Pharmaceutical Register, as well as amendments and addenda to the information contained therein, is carried out following the examination conducted by the EAPO. It ensures verification and high quality of the information contained in this information resource. The examination involves compliance of the patent-protected subject matter to the appropriate INN. It is carried out by leading examiners from eight EAPC Contracting States since it requires highly specialised qualifications in the fields of chemistry and biotechnology. This guarantees the accuracy of the information contained in the Pharmaceutical Register.

This resource is in high demand among patent owners for both Eurasian and national patents. As of April 1, 2024, the Pharmaceutical Register contains information on 359 Eurasian and national patents related to 235 INNs and their combinations.

The EAPO Administrative Council approved new Regulations on the Eurasian Pharmaceutical Register on December 7, 2023, in order to expand the possibilities of using the information contained in the Pharmaceutical Register. These regulations stipulate the legal status of data in the Pharmaceutical Register as reliable, up-to-date, systematised, and publicly available. Most importantly, it offers the option to recognise such information as official in order to attest to the patent protection of API on the territory of the EAPC Contracting State. Possible mechanisms for recognising this information as official are also provided, for example, under an agreement concluded between a Contracting State and/or an international intergovernmental organisation to which the Contracting State is a member and the Eurasian Patent Organisation. The information included in the Pharmaceutical Register and recognised as official by the EAPC Contracting State can be used on its territory in enforcement procedures of patent rights to API-related inventions, including in the adoption of provisional measures under the national law of the Contracting State.

The EAPO provides extracts from the Pharmaceutical Register certifying the protection of API on the territory of the state to any person upon their request. These extracts can also be provided at the request of judicial and other competent authorities of the states.

The extract contains information on the compliance of the patented subject matter with a specific INN or combination of INN, indicating the claims of the Eurasian or, respectively, national patent protecting the API.

Therefore, this Pharmaceutical Register presents an additional tool for patent owners to enforce their patent rights. It also represents a source of reliable and up-to-date information for a wide range of pharmaceutical market players, ranging from API developers to those engaged in the registration of medicines and their introduction into the market.

“The information included in the Pharmaceutical Register and recognised as official by the EAPC Contracting State can be used on its territory in enforcement procedures of patent rights to API-related inventions”





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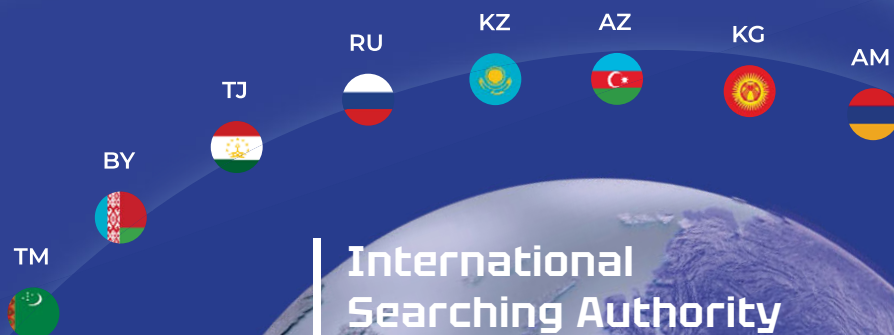
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1 INTELLECTUAL
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8
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