

## CATEGORIES OF DIFFERENT PROVISIONS ON SPECIFIC FLEXIBILITIES

## (1) Compulsory Licenses

Country	Provisions of Law	Compulsory Licensing for non-working of the patent	Compulsory Licensing for Dependent Patent	Compulsory License to Correct Patent Abuse	Compulsory License for Public Interest	Separate Provision on Government Use	Separate Provision Implementing the Decision of the General Council August 30, 2003
<b>Albania</b>	Articles 50-51 of the Industrial Property Law no. 9977 of 07/07/2008	Yes	Yes	Not explicitly provided	Not explicitly provided	Yes	Yes
<b>Algeria</b>	Articles 38-50 of the ordinance 19/07/2003-1424, no.03-07	Yes	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided
<b>Andorra</b>	Article 34 of the Patent Act of 10/06/1999	Yes	Not explicitly provided	Not explicitly provided	Not explicitly provided	Not explicitly provided	Not explicitly provided
<b>Antigua and Barbuda</b>	Sections 13-14 of the Patent Act No. 23 of 2003	Yes	Yes	Yes	Yes	Yes	Not explicitly provided
<b>Argentina</b>	Articles 42-50 of the Patents Act No. 24.481 of 1996 as amended by Law 24.572 T.O	Yes	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided

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<b>Armenia</b>	Articles 69-71 of the Patent Law of 10/06/2008	Yes	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided
<b>Australia</b>	Sections 133-135 and 163-170 of the Patents Act no. 83 of 30/10/1990 as last amended by Law No. 106 of 2006	Yes	Yes	Yes	Yes	Yes	Not explicitly provided
<b>Austria (EU)</b>	Sections 36-42 of the Patents Law 1970, BGBl. No. 259/1970 as last amended in 2001 (Consolidated version of 2010 not available in English)	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided* (see EU)
<b>Barbados</b>	Articles 49 and 50 of the Patents Act no. 18 of 26/07/2001	Yes	Yes	Yes	Yes	Yes	Not explicitly provided
<b>Belarus</b>	Article 38 of the Law no. 160-Z of 16/12/2002	Yes	Yes	Not explicitly provided	Not explicitly provided	Not explicitly provided	Not explicitly provided

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<b>Belgium (EU)</b>	Articles 31-38 of the Patents Act of 28/03/1984, consolidation of 01/01/2010	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Yes
<b>Belize</b>	Articles 38 and 39 of the Patents Act, Chapter 253, of 21/06/2000	Yes	Yes	Not explicitly provided	Not explicitly provided	Not explicitly provided	Not explicitly provided
<b>Bhutan</b>	Section 15 of the Industrial Property Act of 2001	Not explicitly provided	Not explicitly provided	Yes	Yes	Yes	Not explicitly provided
<b>Botswana</b>	Sections 31 of the Industrial Property Act no.14 of 1996	Yes	Not explicitly provided	Not explicitly provided	Not explicitly provided	Not explicitly provided	Not explicitly provided
<b>Brazil</b>	Articles 68-74 of the Industrial Property Law No. 9.279 of 14/05/1996 as last amended by Law No. 10.196 of 14/02/2001	Yes	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided
<b>Brunei Darussalam</b>	Sections 55-65 of the Patents Order S42/99	Yes	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided

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<b>Bulgaria (EU)</b>	Articles 32, 32a, 66, 74c of the Patents Act No. 27/2 of 1993 as last amended by Law No. 59/20 of July 2007	Yes	Yes	Not explicitly provided	Not explicitly provided	Not explicitly provided	Not explicitly provided* (see EU)
<b>Canada</b>	Sections 19, 21 and 65 of the Patents Act (R.S., 1985, c. P-4) (Act current to 21/01/2010, <a href="#">which incorporates the modifications introduced by the Jean Chrétien Pledge to Africa Act of 14/05/2004</a> )	Not explicitly provided	Not explicitly provided	Yes	Not explicitly provided	Yes	Yes
<b>Chile</b>	Articles 51 – 51 bis D of the Industrial Property Law No. 19.039 of 24/01/1991 as last revised in 2005	Not explicitly provided	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided

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China	Articles 48-58 of the Patents Law of 12/03/1984 as last amended on 27/12/2008 and State Intellectual Property Office Order # 37 of November 2005	Yes	Yes	Yes	Yes	Not explicitly provided	Yes
Costa Rica	Articles 18-20 of the Law No.6867 of 25/04/1983 as last amended on 12/10/2000	Yes	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided
Croatia	Articles 67a- 69h of the Patents Law No. 173/2003 as last amended by Act No. 76/2007	Yes	Not explicitly provided	Yes	Yes	Not explicitly provided	Yes
Cuba	Articles 69-73 of the Law No. 68 of 14/05/ 1983	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided

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<b>Cyprus (EU)</b>	Articles 49-56 of the Patent Law No. 16(1) of 01/04/1998 (consolidate version of 2006 not available in English)	Yes	Not explicitly provided	Not explicitly provided	Yes	Yes	Not explicitly provided* (see EU)
<b>Czech Republic (EU)</b>	Section 20 of the Law on Inventions, Industrial Designs and Rationalization Proposals No. 527 of 27/11/1990 as last amended by Act No. 207/2000 Coll. and by Act No. 378/2007	Yes	Not explicitly provided	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided* (see EU)
<b>Denmark (EU)</b>	Sections 45-50 of the Consolidate Patent Act No. 91 of 28/01/2009	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided
<b>Dominica</b>	Sections 35, 38 and 39 of the Patent Act No. 8 of 7/10/1999	Yes	Not explicitly provided	Yes	Yes	Yes	Not explicitly provided

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<b>Dominican Republic</b>	Articles 39-48 of the Law No. 20-00 on Industrial Property of 18/04/2000	Yes	Yes	Yes	Yes	Yes	Not explicitly provided
<b>Egypt</b>	Articles 23 and 24 of the Law No. 82 of 2002	Yes	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided
<b>El Salvador</b>	Articles 133 and 134 of the Intellectual Property Legislative Decree No. 604 of 15/07/1993 as last amended by the Intellectual Property Legislative Decree Amendment No. 912 of 14/12/2005	Not explicitly provided	Not explicitly provided	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided
<b>Estonia (EU)</b>	Section 47 of the Patent Act of 16/03/1994 as last amended on 10/03/2004	Yes	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided* (see EU)

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<b>Ethiopia</b>	Sections 29-33 of the Proclamation of the Industrial Property Law No. 123 of the 10/05/1995	Yes	Yes	Not explicitly provided	Not explicitly provided	Not explicitly provided	Not explicitly provided
<b>Finland (EU)</b>	Sections 45-50 of the Patents Act No. 550 of 15/12/1967 as last amended by Act 684/2006	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided* (see EU)
<b>France (EU)</b>	Articles L. 613-11 – L. 613-20 of the Intellectual Property Code, Law No. 92-597 of 01/07/1992 as last amended by Law No. 2007-1540 and sections R613-4 to R613-42 of the Regulation part	Yes	Yes	Not explicitly provided	Yes	Yes	Yes
<b>Georgia</b>	Sections 61-62 of the Patent Law of 05/02/1999	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided



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<b>Germany (EU)</b>	Sections 13, 24 and 81-85a of the Patent Law of 16/12/1980 (as last amended in 2009)	Yes	Yes	Not explicitly provided	Yes	Yes	Not explicitly provided* (see EU)
<b>Ghana</b>	Sections 45- 52 of the Patents Law No. 305A of 30/12/1992	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided
<b>Greece (EU)</b>	Articles 13- 14 of the Law on “Technology transfer, inventions and technological innovation” No. 1733 of 1987	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided* (see EU)
<b>Grenada</b>	Sections 14 and 14 A of the Industrial Property Bill of 2002	Not explicitly provided	Yes	Not explicitly provided	Yes	Yes	Not explicitly provided

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<b>Guatemala</b>	Articles 134- 138 of the Industrial Property Law No. 57 of 18/09/2000 and sections 78-79 of the Government Decision No. 89-2002, Regulations under the Industrial Property Law	Not explicitly provided	Yes	Yes	Yes	Yes	Not explicitly provided
<b>Honduras</b>	Articles 65-71 of the Industrial Property Law, Decree Law No. 12-99-E of 30/12/1999	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided
<b>Hungary (EU)</b>	Articles 31-33A and 83A-83H of the Law on the Protection of Inventions by Patents No. XXXIII of 1995, (Consolidated text of 01.10.2009)	Yes	Yes	Not explicitly provided	Not explicitly provided	Not explicitly provided	Yes

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<b>Iceland</b>	Articles 45-50 of the Patent Act No. 17 of 1991, as last amended by Act No. 167/2007	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Yes
<b>India</b>	Sections 82-94 and 99-103 of the Patent Act No. 39 of 1970 as last amended in 2005	Yes	Yes	Yes	Yes	Yes	Yes
<b>Indonesia</b>	Articles 74 – 87 and 99-103 of the Patent Law No. 14 of 01/08/2001	Yes	Yes	Not explicitly provided	Yes	Yes	Not explicitly provided
<b>Iraq</b>	Articles 27-30b of the Patent, Industrial Design, Undisclosed Information, Integrated Circuits and Plant Variety Law No. 65 of 1970	Yes	Not explicitly provided	Yes	Yes	Not explicitly provided	Not explicitly provided
<b>Ireland (EU)</b>	Sections 70-78 of the Patent Act No. 1 of 27/02/1992 as last amended by law No. 31 of 2006	Yes	Yes	Not explicitly provided	Yes	Yes	Not explicitly provided* (see EU)

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<b>Israel</b>	Sections 104-111 and 116-128 of the Patent Law No. 5727 of 08/08/1967	Yes	Yes	Yes	Yes	Yes	Not explicitly provided
<b>Italy (EU)</b>	Articles 70- 73, 115 and 119 of the Industrial Property Code, Legislative Decree no. 30 of 15/02/2005	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided* (see EU)
<b>Japan</b>	Articles 79-93 of the Patent Law No. 121 of 13/04/1959 as last amended by Act No. 109 of 2006	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided
<b>Jordan</b>	Articles 22-26 of the Law on Patents No. 32 of 1999 as last amended by Law No. 71 of 2001	Yes	Not explicitly provided	Yes	Yes	Not explicitly provided	Not explicitly provided
<b>Kazakhstan</b>	Article 4 ( 4-5) and Article 14(6) of the Patent Law no.427 of 16/07/1999	Yes	Yes	Not explicitly provided	Not explicitly provided	Yes	Not explicitly provided

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<b>Kenya</b>	Sections 72- 78 and 80 of the Industrial Property Act No. 3 of 27/07/2001	Yes	Yes	Not explicitly provided	Not explicitly provided	Yes	Not explicitly provided
<b>Kyrgyzstan</b>	Article 12 of the Patent Law of 14/01/1998 as last amended in 2003	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided
<b>Lao People's Democratic Republic</b>	Sections 53 and 54 of the Intellectual Property Law of 14/01/2008	Yes	Not explicitly provided	Not explicitly provided	Yes	Yes	Not explicitly provided
<b>Latvia (EU)</b>	Section 54 of the Patent Law of 15/02/2007	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided* (see EU)
<b>Lebanon</b>	Articles 32-39 of the Patents Law No. 240 of 07/08/2000	Yes	Not explicitly provided	Not explicitly provided	Yes	Yes	Not explicitly provided
<b>Libyan Arab Jamahiriya</b>	Articles 23, 28, 29 and 30 of the Law on Patents and Industrial Designs and Models No. 8 of 1959	Not explicitly provided	Not explicitly provided	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided

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<b>Lithuania (EU)</b>	Articles 38-39 of the Patent Law No. I-372 of 18/01/1994 as last amended by Law No. X-1119 of 10/05/2007	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided	Yes	Yes
<b>Luxembourg (EU)</b>	Articles 59-60 and 62-63 bis of the Patent Act of 20/07/1992	Yes	Yes	Not explicitly provided	Yes	Yes	Not explicitly provided* (see EU)
<b>Madagascar</b>	Sections 64-73 of the Decree No. 92-993 and sections no. 64-73 of the Decree No. 92-993	Yes	Not explicitly provided	Not explicitly provided	Yes	Yes	Not explicitly provided
<b>Malaysia</b>	Sections 49-54 and 84 of the Patents Act No. 291 of 1983 as last amended in 2006	Yes	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided

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<b>Malta (EU)</b>	Articles 39-40 of the Patents and Designs Act, Chapter 417, of 01/06/2002 as amended by Acts IX of 2003 and XVIII of 2005	Yes	Yes	Not explicitly provided	Not explicitly provided	Yes	Not explicitly provided* (see EU)
<b>Mauritius</b>	Sections 23-24 of the Patents, Industrial Designs and Trademarks Act No. 25 of 2002	Yes	Yes	Yes	Yes	Yes	Not explicitly provided
<b>Mexico</b>	Articles 70-77 of the Industrial Property Law of 25/06/1991, consolidated version of 2005	Yes	Not explicitly provided	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided
<b>Mongolia</b>	Article 20 of the Patent Law of 25/06/1993, as last amended in 1997	Yes	Not explicitly provided	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided

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<b>Morocco</b>	Articles 25-39 of the Law No. 17-97 concerning Protection of Industrial Property as implemented by the Decree No. 2-00-368 of 07/06/2004	Yes	Yes	Not explicitly provided	Yes	Yes	Not explicitly provided
<b>Mozambique</b>	Articles 83, 85-88 of the Industrial Property Code, Decree No.4 of 12/04/2006	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided
<b>Namibia</b>	Section 19 of the Industrial Property Bill of 1999	Yes	Not explicitly provided	Not explicitly provided	Not explicitly provided	Not explicitly provided	Not explicitly provided



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<b>Netherlands (EU)</b>	Articles 57-60 and 80 of the Patents Act of 15/12/1995(Text as it applies on 03/06/2009) and Policy Rules on issuing compulsory licenses pursuant to WTO decision WT/L/540, of 23/12/2004	Yes	Yes	Not explicitly provided	Yes	Yes	Yes
<b>New Zealand</b>	Sections 46, 48 and 54-58C of the Patents Act No 64 of 1953 (as at 01/08/2008)	Yes	Not explicitly provided	Not explicitly provided	Not explicitly provided	Yes	Not explicitly provided
<b>Nicaragua</b>	Sections 51- 56 of the Industrial Property Law No. 354 of 19/09/2000	Not explicitly provided	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided
<b>Nigeria</b>	Section 11 of the Industrial Property Act (Chapter 344) No. 60 of 1970 (version of 1990 not available)	Yes	Yes	Not explicitly provided	Not explicitly provided	Yes	Not explicitly provided

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Norway	Sections 45-50a of the Patents Acts No. 9 of December 15, 1967 and Sections 107-108 of the Patent Regulations No. 1162 of 20/12/1996(as last amended by Act No.80 of 29/06/2007)	Yes	Yes	Yes	Yes	Not explicitly provided	Yes
Oman	Sections 1 and 15-20 of the Royal Decree No. 82/2000 Promulgating the Patent Law	Yes	Not explicitly provided	Not explicitly provided	Not explicitly provided	Not explicitly provided	Not explicitly provided
Pakistan	Sections 58 and 59 of the Patents Ordinance No. LXI of 02/12/2000 as amended in 2002 and Section 44 of the Patents Rules of 31/12/2003	Yes	Yes	Yes	Yes	Yes	Not explicitly provided

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<b>Papua New Guinea</b>	Sections 32-36 of the Industrial Property Act no. 30 of 19/07/2000 and Section 27 of the Patents and Industrial Designs Regulation No. 5 of 2002	Not explicitly provided	Not explicitly provided	Yes	Yes	Yes	Not explicitly provided
<b>Paraguay</b>	Articles 42- 50 of the Patents Law No. 1630 of 29/11/2000 and 27-31 of the Decree No. 14.201 regulating Law No. 1630/00 on Patents of inventions	Yes	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided
<b>Philippines</b>	Sections 93-102 of the Intellectual Property Code, Act No. 8293 of 06/06/1997 as last amended by Act No. 9502 of 2008	Yes	Yes	Yes	Yes	Yes	Yes

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<b>Poland (EU)</b>	Articles 82-88 of the Industrial Property Law of 30/06/2000, as amended by act of 23/01/2004 and act of 29/06/2007	Not explicitly provided	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided* (see EU)
<b>Portugal (EU)</b>	Articles 106-112 of the Industrial Property Code (approved by Decree-Law No. 36 of 05/03/2003 as last amended by Law No. 16 of 01/04/2008)	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided* (see EU)
<b>Republic of Korea</b>	Articles 107- 114 and 138 of the Patent Act promulgated on by Military Act No. 950 on 28/11/1949, as last amended by Act No. 9381 of 30/01/2009	Yes	Yes	Yes	Yes	Not explicitly provided	Yes

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<b>Republic of Moldova</b>	Articles 28-30 of the Law on the protection of Inventions No. 50-XVI of 07/03/ 2008	Yes	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided
<b>Romania (EU)</b>	Articles 46-50 of the Patent Law no. 64/1991 as republished in the OJ, No. 456/18.VI.2008	Yes	Yes	Yes	Yes	Yes	Not explicitly provided* (see EU)
<b>Russian Federation</b>	Articles 1360 and 1362 of the Patent Act (Chapter 72)	Yes	Yes	Not explicitly provided	Not explicitly provided	Yes	Not explicitly provided
<b>Saint Lucia</b>	Sections 51-61 of the Patents Act No. 16 of 27/08/2001	Yes	Yes	Yes	Yes	Yes	Not explicitly provided

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Saudi Arabia	Articles 24- 30 of the Law of Patents, Layout-Designs of Integrated Circuits, Plant Varieties, and Industrial Designs, 2004 and Sections 47-48 of the Implementing Regulations of the Law of Patents, Layout-Designs of Integrated Circuits, Plant Varieties, and Industrial Designs, 2004	Yes	Yes	Not explicitly provided	Yes	Yes	Not explicitly provided
Serbia	Articles 63-68 of the Patents law No. 15 of 02/07/2004	Yes	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided
Singapore	Sections 55-62 and 97 of the Patents Act No. 21 of 25/11/1994 as of 01/12/2008	Yes	Not explicitly provided	Yes	Not explicitly provided	Yes	Yes

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<b>Slovakia (EU)</b>	Articles 27-28 of the Act No. 435/2001 Coll. on Patents, Supplementary Protection Certificates as last amended by Act No. 517/2007 Coll.	Yes	Yes (for plant variety)	Yes (only in case of semiconductors)	Yes	Not explicitly provided	Not explicitly provided* (see EU)
<b>Slovenia (EU)</b>	Articles 125-127 of the Industrial Property Act of 23/05/2001 as last amended on 06/02/2006	Not explicitly provided	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided* (see EU)
<b>South Africa</b>	Sections 55-56 of the Patents Act No. 57 of 1978 as last amended by Act No. 58 of 2002	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided	Not explicitly provided

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<b>Spain (EU)</b>	Articles 83-107 of the Law about Patents of Invention and Utility Models No. 11 of 20/03/1986 as last amended by Law No. 10 of 29/04/2002	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided* (see EU)
<b>Sri Lanka</b>	Section 86 of the Intellectual property Act No. 36 of 2003	Not explicitly provided	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided
<b>Swaziland</b>	Section 12 paragraph 6 of the Patents, Utility Models and Industrial Designs Act No. 6 of 1997	Not explicitly provided	Not explicitly provided	Not explicitly provided	Not explicitly provided	Yes	Not explicitly provided
<b>Sweden (EU)</b>	Sections 44-50 of the Patents Act no. 837 of 01/12/1967 as last amended by Law No. 159 of 01/04/2004	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided* (see EU)



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<b>Switzerland</b>	Articles 36-40e of the Federal Patents Law of 25/06/1954 as last amended on 01/07 2009 and sections 111- 111c of the Patents Regulation of 19 October 1977, as last amended on 01/09/2008	Yes	Yes	Yes	Yes	Not explicitly provided	Yes
<b>Thailand</b>	Sections 45-52 and 74 of the Patent Act B.E. 2522 of 11/03/1979 as amended by the Patent Act (No.2) B.E 2535 and the Patent Act (No.3) B.E. 2542	Yes	Yes	Not explicitly provided	Yes	Yes	Not explicitly provided
<b>The former Yugoslav Republic of Macedonia</b>	Articles 97-115 of the Law on Industrial Property No. 07-1006/1 of 12/02/2009	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Yes

<b>Country</b>	<b>Provisions of Law</b>	<b>Compulsory Licensing for non-working of the patent</b>	<b>Compulsory Licensing for Dependent Patent</b>	<b>Compulsory License to Correct Patent Abuse</b>	<b>Compulsory License for Public Interest</b>	<b>Separate Provision on Government Use</b>	<b>Separate Provision Implementing the Decision of the General Council August 30, 2003</b>
<b>Tonga</b>	Sections 13 and 15 of the Industrial Property Act No. 19 of 09/11/1994	Yes	Not explicitly provided	Not explicitly provided	Not explicitly provided	Yes	Not explicitly provided
<b>Trinidad and Tobago</b>	Sections 46-48 of the Patents Act No. 21 of 1996	Yes	Not explicitly provided	Yes	Not explicitly provided	Yes	Not explicitly provided
<b>Tunisia</b>	Articles 69- 81 of the Patents Law No. 2000-84 of 24/08/2000	Yes	Not explicitly provided	Not explicitly provided	Yes	Yes	Not explicitly provided

Country	Provisions of Law	Compulsory Licensing for non-working of the patent	Compulsory Licensing for Dependent Patent	Compulsory License to Correct Patent Abuse	Compulsory License for Public Interest	Separate Provision on Government Use	Separate Provision Implementing the Decision of the General Council August 30, 2003
<b>Turkey</b>	Articles 79, 93 and 96-120 of the Decree-Law No. 551 of 27/06/1995 on the Protection of Patent Rights and Sections 39, 40 and 43 of the Implementing Regulations under Decree-Law No. 551 pertaining to the Protection of Patent Rights, including Amended Regulation of 06/12/ 1998	Yes	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided
<b>Turkmenistan</b>	Article 38 of the Patent Act No. 867-XII of 1710/1993	Not explicitly provided	Not explicitly provided	Not explicitly provided	Not explicitly provided	Yes	Not explicitly provided
<b>Uganda</b>	Sections 29 and 30 of the Patents Act of 15/10/1993	Yes	Not explicitly provided	Not explicitly provided	Not explicitly provided	Yes	Not explicitly provided

<b>Country</b>	<b>Provisions of Law</b>	<b>Compulsory Licensing for non-working of the patent</b>	<b>Compulsory Licensing for Dependent Patent</b>	<b>Compulsory License to Correct Patent Abuse</b>	<b>Compulsory License for Public Interest</b>	<b>Separate Provision on Government Use</b>	<b>Separate Provision Implementing the Decision of the General Council August 30, 2003</b>
<b>Ukraine</b>	Article 30 of the Law on the Protection of Rights to Inventions and Utility Models No. 3687-XII of 15/12/1993 as last amended in 2003	Yes	Not explicitly provided	Yes	Yes	Not explicitly provided	Not explicitly provided
<b>United Arab Emirates</b>	Articles 24-35 of the Law No. 17 of 2002 pertaining to the Industrial Regulation and Protection of Patents, Industrial Drawings, and Designs	Yes	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided
<b>United Kingdom (EU)</b>	Sections 48-59 of the Patents Act of 1977 (unofficial consolidation of 01/01/2010)	Yes	Yes	Yes	Yes	Yes	Yes
<b>United Republic of Tanzania</b>	Sections 52-59 and 61 of the Patents Act No. 1 of 1987	Yes	Yes	Not explicitly provided	Not explicitly provided	Yes	Not explicitly provided

Country	Provisions of Law	Compulsory Licensing for non-working of the patent	Compulsory Licensing for Dependent Patent	Compulsory License to Correct Patent Abuse	Compulsory License for Public Interest	Separate Provision on Government Use	Separate Provision Implementing the Decision of the General Council August 30, 2003
United States of America	Title 28, part IV, Chapter 91, paragraph 1498 letter a) of the USC	Not explicitly provided	Not explicitly provided	Not explicitly provided	Not explicitly provided	Yes	Not explicitly provided
Uruguay	Articles 50-80 of the Law No. 17.164 of 13/01/2000 Regulating Rights and Obligations Relating to Patents, Utility Models and Industrial Designs	Yes	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided
Uzbekistan	Article 32 of the Law on Inventions, Utility Models and Industrial Designs of 29/08/2002: compulsory licenses would be granted in the cases provided for by legislation		Yes				

Country	Provisions of Law	Compulsory Licensing for non-working of the patent	Compulsory Licensing for Dependent Patent	Compulsory License to Correct Patent Abuse	Compulsory License for Public Interest	Separate Provision on Government Use	Separate Provision Implementing the Decision of the General Council August 30, 2003
<b>Viet Nam</b>	Articles 132, 133, 135, 136,137 and 145-147 of the Law on Intellectual Property No. 50/2005/QH11 of 29/11/2005	Yes	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided
<b>Zambia</b>	Sections 37-41 of the Patent Act of 1958 (Chapter 400) as last amended by Act No. 26 of 28/12/1987	Yes	Not explicitly provided	Yes	Yes	Yes	Not explicitly provided
<b>Andean Community</b>	Articles 61-69 of the Decision No. 486 of September 14, 2000 of the Commission of the Andean Community - Common Industrial Property Regime (Cartagena Agreement)	Yes	Yes	Yes	Yes	Not explicitly provided	Not explicitly provided

Country	Provisions of Law	Compulsory Licensing for non-working of the patent	Compulsory Licensing for Dependent Patent	Compulsory License to Correct Patent Abuse	Compulsory License for Public Interest	Separate Provision on Government Use	Separate Provision Implementing the Decision of the General Council August 30, 2003
<b>European Union</b>	Regulation (EC) No 816/2006 of the European Parliament and of the Council of 17/05/2006 on the compulsory licensing of patents relating to the manufacture of pharmaceutical products for export to countries with public health problems	Not explicitly provided	Not explicitly provided	Not explicitly provided	Not explicitly provided	Not explicitly provided	Yes
<b>OAPI</b>	Articles 46- 57 of the Agreement Revising the Bangui Agreement of 02/03/1977, on the Creation of an African Intellectual Property Organization	Yes	Yes	Not explicitly provided	Yes	Not explicitly provided	Not explicitly provided

(2) Patent Exhaustion

Country	Provision of Law	Exhaustion		
		National	Regional	International
<b>Albania</b>	Article 39 of the Patents Act of 07/07/2008	X		
<b>Algeria</b>	Article 12 no. 2 of the Patent Ordinance No. 03-07 of 19/07/2003	X		
<b>Andorra</b>	Article 23 (4) a) of the Patent Act of 10/06/1999			X
<b>Antigua and Barbuda</b>	Section 11 (4) a) of the Patent Act No. 23 of 2003			X
<b>Argentina</b>	Article 36 c) of the Patents and Utility Models Law No. 24.481 of 1996			X
<b>Armenia</b>	Article 19 (1) and (2) of the Law on Inventions, Utility Models and Industrial Designs of 10/06/2008			X
<b>Barbados</b>	Article 6 b) of the Patent Act No. 18 of 26/07/2001	X		
<b>Belarus</b>	Article 10 of the Law No. 160-Z of 16/12/2002	X		



Country	Provision of Law	Exhaustion		
		National	Regional	International
<b>Belize</b>	Article 33 (4) a) of the Patents Act, Chapter 253, of 21/06/2000	X		
<b>Bhutan</b>	Section 13 (4) (i) of the Industrial Property Act of 2001	X		
<b>Botswana</b>	Section 24(3) a) (i) of the Industrial Property Act No. 14 of 1996	X		
<b>Brazil</b>	Article 43 IV of the Industrial Property Law No. 9.279 of 14/05/1996 as last amended by Law No. 10.196 of 14/02/2001	X		
<b>Bulgaria (EU)</b>	Article 20a (1) of the Law on Patents and Utility Models Registration No. 27/2 of 1993 as last amended by Law No. 59/20 of July 2007		X	
<b>China</b>	Article 69 (1) of the Patent Law of 12/03/1984 as last amended on 27/12/2008			X
<b>Costa Rica</b>	Article 16 (2) d) of the Patents Law (Consolidation), No. 6867 of 25/04/1983, as last amended by Law No. 8039 of 12/10/2000			X
<b>Denmark (EU)</b>	Section 3 (3) (ii) of the Consolidate Patent Act No. 91 of 28/01/2009		X	

Country	Provision of Law	Exhaustion		
		National	Regional	International
<b>Dominica</b>	Article 33 (4) (a) of the Patent Act No. 8 of 07/10/1999	X		
<b>Dominican Republic</b>	Article 30 d) of the Law on Industrial Property No. 20-00 of 18/04/2000			X
<b>Egypt</b>	Article 10 (1) of the Law on the Protection of Intellectual Property Rights No. 82 of 2002			X
<b>El Salvador</b>	Article 116 d) of the Legislative Decree No. 604 of 15/07/1993 on the Promotion and Protection of Intellectual Property Rights as last amended by Legislative Decree No. 912 of 14/12/2005	X		
<b>Estonia (EU)</b>	Section 17 of the Patent Act of 16/03/1994, as last amended by the Act of 10/03/2004		X	
<b>Finland (EU)</b>	Section 3 (2) no.2 of the Patents Act No. 550 of 15/12/1967 as last amended by Act 684/2006		X	

Country	Provision of Law	Exhaustion		
		National	Regional	International
<b>France (EU)</b>	Articles L613-2-4 and L613-6 of the Intellectual Property Code, Law No. 92-597 of 01/07/1992 as last amended by Law No. 2007-1544		X	
<b>Georgia</b>	Article 52 a) of the Patent Law of 05/02/1999	X		
<b>Ghana</b>	Section 30 b) of the Patent Law No. 305A of 30/12/1992	X		
<b>Grenada</b>	Section 12 (4) (a) (i) of the Industrial Property Act of 2002	X		
<b>Guatemala</b>	Article 131 of the Industrial Property Law, Decree No. 57 of 18/09/2000			X
<b>Honduras</b>	Article 18 of the Industrial Property Law, Decree Law No. 12-99-E of 30/12/1999			X
<b>Hungary (EU)</b>	Article 20 of the Law on the Protection of Inventions by Patents No. XXXIII of 1995 (Consolidated text of 01.10.2009)		X	
<b>Iceland (European Economic Area)</b>	Article 3 (2) no.2 of the Patents Act No. 17 of 1991 as last amended by Act No. 167/2007		X	

Country	Provision of Law	Exhaustion		
		National	Regional	International
<b>India</b>	Section 107A of the Patent Act No. 39 of 1970, as last amended in 2005			X
<b>Ireland (EU)</b>	Sections 41 and 43 of the Patents Act No. 1/1992 as last amended by Law No. 31 of 2006		X	
<b>Italy (EU)</b>	Article 5 of the Industrial Property Code, Legislative Decree No.30 of 10/02/2005		X	
<b>Jordan</b>	Article 37 of the Law on Patents No. 32 of 1999, as last amended by Law No. 71 of 2001			X
<b>Kazakhstan</b>	Article 12 of the Patent Act No. 427 of 16/07/1999	X		
<b>Kenya</b>	Section 58 (2) of the Industrial Property Act No. 3 of 27/07/2001			X
<b>Kyrgyzstan</b>	Article 13 no.4 of the Patent Law of 14/01/1998, as last amended on 27/02/2003	X		
<b>Latvia (EU)</b>	Section 21 of the Patent Law of 15/02/2007		X	
<b>Liberia</b>	Section 17 (4) (a)(i) of the Industrial Property Act of 20/03/2003	X		

Country	Provision of Law	Exhaustion		
		National	Regional	International
<b>Luxembourg (EU)</b>	Article 17 (4) (a)(i) of the Industrial Property Act of 20/03/2003		X	
<b>Madagascar</b>	Section 30 of the Industrial Property, Ordinance No. 89—019 of 31/07/1989	X		
<b>Malaysia</b>	Section 37 of the Patents Act 1983 as last amended on 2006	X		
<b>Malta (EU)</b>	Article 27 (9) of the Patents and Designs Act, Chapter 417, of 01/06/2002, as amended by Acts IX of 2003 and XVIII of 2005		X	
<b>Mexico</b>	Article 22 II of the Industrial Property Law of 25/06/1991, last amended version of 06/12/2005	X		
<b>Mongolia</b>	Article 18 (2) no.1 of the Patents Act of 25/06/1993, as last amended in 1997	X		
<b>Morocco</b>	Article 55 of the Law no. 17-97 on Industrial Property Protection as implemented by the Decree No. 2-00-368 of 07/06/2004	X		
<b>Mozambique</b>	Article 68 b) of the Industrial Property Code, Decree No. 4 of 12/04/2006	X		

Country	Provision of Law	Exhaustion		
		National	Regional	International
<b>Namibia</b>	Section 17 (3) a) of the Industrial Property Bill of 1999	X		
<b>Netherlands (EU)</b>	Article 53 (5) of the Patent Act of 15/12/1994 (Text as it applies on 03/06/2009)		X	
<b>Nicaragua</b>	Article 47 of the Industrial Property Law No. 354 of 19/09/2000			X
<b>Norway (European Economic Area)</b>	Section 3 (2) of the Patent Act No. 9 of 15/12/1967(as last amended by Act No.80 of 29/06/2007)		X	
<b>Pakistan</b>	Section 30 (5) a) of the Patents Ordinance No. LXI of 02/12/2000(as amended by the Patents Amendment Ordinance of 2002)			X
<b>Panama</b>	Article 19 no. 3 of the Industrial Property Law No. 35 of 10/05/1996	X		
<b>Papua New Guinea</b>	Section 29 (4) a) of the Industrial Property Act No. 30 of 19/07/2000	X		
<b>Paraguay</b>	Article 34 c) of the Patents Law No. 1630 of 29/11/2000			X

Country	Provision of Law	Exhaustion		
		National	Regional	International
<b>Philippines</b>	Section 72 no.1 of the Intellectual Property Code, Act No. 8293 of 06/06/1997 as last amended by Act No. 9502 of 2008	X (except drugs and medicines for which exhaustion is international)		X
<b>Poland (EU)</b>	Article 70 of the Industrial Property Law of 30/06/2000, as last amended by Act of 29/06/2007		X	
<b>Portugal (EU)</b>	Article 103 of the Industrial Property Code, Decree-Law No. 36 of 05/03/2003 as last amended by -Law No. 16 of 01/04/2008		X	
<b>Romania /EU)</b>	Article 34 d) of the Patent Law no. 64 of 1991 as republished in the Official Gazette of Romania, Part I, No. 456/18.VI.2008		X	
<b>Russian Federation</b>	Article 1359 of the Patent Law (Chapter 72)	X		
<b>Serbia</b>	Article 60 of the Patent Law No. 15 of 02/07/2004	X		
<b>Singapore</b>	Section 66 of the Patents Act No. 21 of 25/11/1994 as of 01/12/2008			X (except pharmaceutical products under certain conditions)

Country	Provision of Law	Exhaustion		
		National	Regional	International
<b>Slovakia (EU)</b>	Article 16 of the Act No. 435/2001 Coll. on Patents, Supplementary Protection Certificates as last amended by Act No. 517/2007 Coll.		X	
<b>Spain (EU)</b>	Article 52 (2) of the Law about Patents of Invention and Utility Models No.11/1986 of 20/03/1986 as last amended by Law No. 10 of 29/04/2002		X	
<b>Sri Lanka</b>	Section 86 (1) (iv) of the Intellectual Property Act No. 36 of 2003	X		
<b>Swaziland</b>	Section 12 (4) a) of the Patents, Utility Models and Industrial Designs Act No. 6 of 04/09/1997	X		
<b>Sweden (EU)</b>	Section 3 (2) no. 2 of the Patents Act No. 837 of 01/12/1967 as last amended by Law No. 159 of 01/04/2004		X	
<b>Switzerland</b>	Article 9a of the Patent Law of 25 June 1954 (as 01/07/ 2009)		X (with two exceptions. See annex II)	
<b>Thailand</b>	Section 36 (2) no. 7 of the Patent Act B.E. 2522 of 11/03/1979 as amended by the Patent Act No.2 B.E 2535 and the Patent Act No.3 B.E. 2542	X		



Country	Provision of Law	Exhaustion		
		National	Regional	International
<b>Tonga</b>	Section 13 (4) a) of the industrial Property Act No. 19 of 09/11/1994	X		
<b>Trinidad and Tobago</b>	Section 43 of the Patents Act No. 21 of 1996 as last amended by the Act No. 18 of 2000	X		
<b>Tunisia</b>	Article 47 d) of the Patents Law No. 2000-84 of 24/08/2000	X		
<b>Turkey</b>	Section 76 of the Decree-Law on the Protection of Patent Rights No. 551 of 27/06/1995	X		
<b>Uganda</b>	Section 28 b) of the Patents Act (Chapter 216) of 15/10/1993	X		
<b>Ukraine</b>	Article 31 (3) of the Law on the Protection of Rights to Inventions and Utility Models No. 3687-XII of 15/12/1993 as last amended in 2003	X		
<b>United Arab Emirates</b>	Section 17 of the Patent Law No. 44 of 12/10/1992 – 1413	X		
<b>United Republic of Tanzania</b>	Section 37 of the Patents Act No. 1 of 20/01/1987	X		
<b>Uruguay</b>	Article 40 of the Industrial Property Law No. 17.164 of 02/09/1999			X

Country	Provision of Law	Exhaustion		
		National	Regional	International
<b>Uzbekistan</b>	Article 12 of the Law on Inventions, Utility models and Industrial Designs of 29/08/2002	X		
<b>Viet Nam</b>	Section 125 (2) (b) of the Intellectual Property Law No. 50/2005/QH11 of 29/11/2005			X
<b>Andean Community</b>	Article 54 of the Cartagena Agreement, Decision No. 486 of 14/09/2000 of the Commission of the Andean Community			X
<b>European Union</b>	Articles 28 and 30 of the Treaty of Rome and Article 28 of the Convention for the European Patent		X	
<b>OAPI</b>	Article 8 (1) a) of Annex I Patents, Title I of the revised Bangui Agreement of 02/03/1977 (as on 24/02/1999)		X	

**(3) Research Exception and Regulatory Review (BOLAR) Exception**

Country	Research exception	Bolar exception
<b>Albania</b>	Article 38 (1) b) of the patent law Nr. 9977 of 07/07/2008	
<b>Algeria</b>	Article 12 (1) n. 1 of the Ordinance No. 03-07 on Patents of 19/07/2003	
<b>Andorra</b>	Article 23 (4) of the Patent Act of 10/06/1999	
<b>Antigua and Barbuda</b>	Section 11 (4) c) of the Patent Bill No. 23 of 2003	
<b>Argentina</b>	Article 36(a) of the Law No. 24.481 on Patents and Utility Models of 1996	
<b>Armenia</b>	Article 13 of the Law on Patents of 26/10/1999	
<b>Australia</b>		Section 119 A of the Patents Act of 1990 as last amended by Law No. 106 of 2006

Country	Research exception	Bolar exception
<b>Barbados</b>	Article 6 (1) of the Patents Act No. 18 of 2001	
<b>Belarus</b>	Article 10 of the Industrial Property Law No. 160-Z of 16/12/2002,	
<b>Belgium (EU)</b>	Article 28 (1) b) of the Patent Law of 28/03/1984 (as of 01/01/2010)	
<b>Belize</b>	Article 33 (4) c) of the Patents Act (Ch. 253) of 2000	
<b>Bhutan</b>	Section 13 (4) a) of the Industrial Property Act of 2001	
<b>Botswana</b>	Section 24(3)(a) (iii) of the Industrial Property Act No. 14 of 1996	
<b>Brazil</b>	Article 43 II of the Industrial Property Law No. 9.279 of 14/05/1996 as last amended by Law No. 10.196 of 14/02/2001	Article 43 VII of the Industrial Property Law No. 9.279 of 14/05/1996 as last amended by Law No. 10.196 of 14/02/2001

Country	Research exception	Bolar exception
<b>Bulgaria (EU)</b>	Article 20 (1) no. 2 of the Law on Patents and Utility Model No. 27/2 of 18/03/1993 as last amended in 2007	Article 20 (7) of the Law on Patents and Utility Models No. 27/2 of 18/03/1993 as last amended in 2007
<b>Canada</b>		Section 55.2 (1) of the Patent Act and Manufacturing and Storage of Patented Medicines Regulations
<b>China</b>	Article 69 (4) of the Patent Law of 12/03/1984 as amended on 27/12/2008	Article 69 (5) of the Patent Law of 12/03/1984 as amended on 27/12/2008
<b>Costa Rica</b>	Article 16 (2) b) and c) of the Patents Law No. 6867 of 25/04/1983 as last amended on 12/10/2000	Article 16 (2) e) of the Patents Law No. 6867 of 25/04/1983 as last amended on 12/10/2000
<b>Croatia</b>	Article 63 no.2 of the Patent Act No. 173 of 2003 as last amended by Act No. 76/2007	Article 63 no. 2 of the Patent Act No. 173 of 2003 as last amended by Act No. 76/2007
<b>Cuba</b>	Article 54 no. 3 of the Decree Law No. 68 of 14/05/ 1983	
<b>Cyprus (EU)</b>	Article 27 (3) (ii) and (iii) of the Patent Act of 1998 (2006 version not available.)	

Country	Research exception	Bolar exception
<b>Czech Republic (EU)</b>	Section 18 e) of the Patents Act No. 527 of 1990 as last amended by Act No. 378/2007	Section 18 e) of the Patents Act No. 527 of 1990 as last amended by Act No. 378/2007
<b>Denmark (EU)</b>	Section 3 (3) (iii) of the consolidate Patent Act No. 91 of 28/01/2009	Section 3 (3) (iv) of the consolidate Patent Act No. 91 of 28/01/2009
<b>Dominica</b>	Article 33 (4) c) of the Patents Act no. 8 of 07/10/1999	
<b>Dominican Republic</b>	Article 30 b) and c) of the Law on Industrial Property No. 20-00 of 18/04/2000	Article 30 g) of the Law on Industrial Property No. 20-00 of 18/04/2000
<b>Egypt</b>	Article 10 no. 1 of the Intellectual Property Law No. 82 of 2002	Article 10 (5) of the Intellectual Property Law No. 82 of 2002
<b>El Salvador</b>	Article 116 b) and c) of the Legislative Decree No. 604 of 15/07/1993	
<b>Estonia (EU)</b>	Section 16 no.3 of the Patent Act of 16/03/1994 as last amended on 10/03/2004	

Country	Research exception	Bolar exception
<b>Ethiopia</b>	Section 25 (1) b of the Industrial Property Law (Proclamation) No. 123 of 10/05/1995	
<b>Finland (EU)</b>	Section 3 (2) no. 3 of the Patent Act No. 550 of 15/12/1967 as amended by Act 684/2006	Section 3 (2) no. 4 of the Patent Act No. 550 of 15/12/1967 as amended by Act 684/2006
<b>France (EU)</b>	Article L613-5 b) of the Intellectual Property Code, Law No. 92-597 of 01/07/1992 as last amended by Law No. 2007-1540	Article L613-5 d) of the Intellectual Property Code, Law No. 92-597 of 01/07/1992 as last amended by Law No. 2007-1540
<b>Germany (EU)</b>	Section 11 no. 2 of the Patent Act as last amended by the Act on Improvement of Enforcement of Intellectual Property Rights of 31/07/2009	Section 11 no. 2b of the Patent Act as last amended by the Act on Improvement of Enforcement of Intellectual Property Rights of 31/07/2009
<b>Ghana</b>	Section 30 a) of the Patent Law No. 305A of 30/12/1992	

Country	Research exception	Bolar exception
<b>Greece (EU)</b>	Article 10 (2) a) of the Law No. 1733 of 1987 “Technology transfer, inventions and technological innovation”	
<b>Grenada</b>	Section 12 (4) (a) of the Industrial Property Bill of 2002	
<b>Guatemala</b>	Article 130 b) and c) of the Industrial Property Law, Decree No. 57-2000	
<b>Honduras</b>	Article 18 of the Law on Industrial Property Law, Decree Law No. 12-99-E of 30/12/1999	
<b>Hungary (EU)</b>	Article 19 (6) b) of the Law on the Protection of Inventions by Patents No. XXXIII of 1995 (Consolidated text of 01.10.2009)	Article 19 (6) b) of the Law on the Protection of Inventions by Patents No. XXXIII of 1995 (Consolidated text of 01.10.2009)

<b>Country</b>	<b>Research exception</b>	<b>Bolar exception</b>
<b>Iceland</b>	Article 3 (2) no.3 of the Patents Act No. 17/1991 as last amended by Act No. 167/2007	Article 3 (2) no.3 of the Patents Act No. 17/1991 as last amended by Act No. 167/2007
<b>India</b>	Section 47 no.3 of the Patent Act no. 39 of 1970 a last amended in 2005	Section 107A of the Patent Act no. 39 of 1970 as last amended in 2005
<b>Indonesia</b>	Article 16 (3) of the Patent Law no. 14 of 2001	
<b>Ireland (EU)</b>	Section 42 b) of the Patents Act No. 1 of 27/02/1992 as last amended in 2006	Section 42 b) of the Patents Act No. 1 of 27/02/1992 as last amended in 2006
<b>Israel</b>		Section 54a of the Patents Law No. 5727-1967
<b>Italy (EU)</b>		Article 68 (1) a ) of the Industrial Property Code, legislative Decree no. 30 of 10/02/2005
<b>Japan</b>	Article 69 no. 1 of the Patent Act No. 121 of 1959 as last amended by Act No. 109 of 2006	

<b>Country</b>	<b>Research exception</b>	<b>Bolar exception</b>
<b>Jordan</b>	Article 21 C of the Patent Act No. 32 of 1999 as last amended by Act no. 71/2001	Article 21 C of the Patent Act No. 32 of 1999 as last amended by Act no. 71/2001
<b>Kazakhstan</b>	Article 12 of the Patent Act of 16/07/ 1999	
<b>Kenya</b>	Section 58 (1) of the Industrial Property Act No. 3 of 27/07/2001	Section 54 (2) of the Industrial Property, Act No. 3 of 27/07/2001
<b>Kyrgyzstan</b>	Article 13 no. 2 of the Patent Law of 14/01/1998 as last amended in 2003	
<b>Latvia (EU)</b>	Section 20 no.2 of the Patent Law adopted on 15/02/2007	Section 20 no.3 of the Patent Law adopted on 15/02/2007
<b>Lebanon</b>	Article 42 of the Law No. 240 of 07/08/2000	
<b>Liberia</b>	Section 17 (4) a) (iii) of the Industrial Property Act of 20/03/2003	

Country	Research exception	Bolar exception
<b>Lithuania (EU)</b>	Article 26 of the Patent Law No. I-372 of 18/01/1994 as last amended by Act No. X-1119 of 10/05/2007)	
<b>Luxembourg (EU)</b>	Article 47 b) of the Patent Law of 20/07/1992	
<b>Malaysia</b>	Section 37 (1) of the Patents Act of 1983 as last amended in 2006	Section 37 (1A) of the Patents Act of 1983 as last amended in 2006
<b>Malta (EU)</b>	Article 27 (6) lett. b) of the Patents and Designs Act, Chapter 417, of 01/06/2002, as last amended by Act XVIII of 2005	Article 27 (6) lett. d) of the Patents and Designs Act, Chapter 417, of 01/06/2002, as last amended by Act XVIII of 2005
<b>Mauritius</b>	Section 21 (4) (d) of the Patents, Industrial Designs and Trademarks Act of 2002	
<b>Mexico</b>	Article 22 (1) of the Industrial property Law of 25/06/1991 as last amended in 2005	

Country	Research exception	Bolar exception
<b>Mongolia</b>	Article 18 (2) no. 2 of the Patents Act of 25/06/1993, as last amended in 1997	
<b>Morocco</b>	Article 55 b) of the Industrial Property Law No. 17-97 of 1997 as implemented by the Decree No. 2-00-368 of 07/06/2004	
<b>Mozambique</b>	Article 68 no. 1 of the Industrial Property Code, Decree No. 4 of 12/04/2006	
<b>Namibia</b>	Section 17 (3) c) of the Unified Bill on Intellectual Property Rights of 1999	
<b>Netherlands (EU)</b>	Section 53 (3) of the Patents Act of 15/12/1994 (Text as it applies on 03/06/2009)	Section 53 (4) of the Patents Act of 15/12/1994 (Text as it applies on 03/06/2009)
<b>New Zealand</b>		Section 68B of the Patent Act of 1953 as at 01/08/2008

Country	Research exception	Bolar exception
<b>Nicaragua</b>	Article 46 a) and b) of the Law on Patents, Utility Models and Industrial Design No. 354 of 19/09/2000	
<b>Norway</b>	Section 3 (3) no. 3 of the patent Act No. 9 of 15712/1967 (as last amended by Act No. 80 of 29/06/2007)	Section 3 (3) no. 5 of the patent Act No. 9 of 15712/1967 (as last amended by Act No. 80 of 29/06/2007)
<b>Pakistan</b>	Section 30 (5) of the Patents Ordinance of 2000	
<b>Panama</b>	Article 19 no. 1 and 2 of the Law on Industrial Property No.35of 10/05/1996	
<b>Papua New Guinea</b>	Section 29 (4) c9 of the Patent and Industrial Act no. 30 of 19/07/2000	

Country	Research exception	Bolar exception
<b>Paraguay</b>	Article 34 a)and b) of the Law on patents for invention N. 1630 of 29/11/2000	
<b>Philippines</b>	Section 72 no. 3 of the Intellectual property Rights Code, Act No. 8293 of 1997, as last amended by Act No. 9502 of 2008	Section 72 no. 4 of the Intellectual Property Code, Act No. 8293 of 06/06/1997as last amended by Act No. 9502 of 2008
<b>Poland (EU)</b>	Article 69 (1), (iii) of the Industrial Property Law of 30/06/2000 as last amended by Act of 29/06/2007	Article 69 (1), (iv) and (5) of the Industrial Property Law of 30/06/2000 as last amended by Act of 29/06/2007
<b>Portugal (EU)</b>	Article 102 c) of the Industrial Property Code, Decree-Law No. 36 of 05/03/2003 as last amended by -Law No. 16 of 01/04/2008	Article 102 c) of the Industrial Property Code, Decree-Law No. 36 of 05/03/2003 as last amended by -Law No. 16 of 01/04/2008
<b>Republic of Korea</b>	Article 96 (1) (i) of the Patent Act No. 950 of 1959 as last amended by Act No. 9381 of 30/01/2009	



Country	Research exception	Bolar exception
<b>Republic of Moldova</b>	Article 22 (1) b) of the Law on the protection of Inventions No. 50-XVI of 07/03/2008	
<b>Romania (EU)</b>	Article 80 (1) c) of the Patent Law No. 64/1991 as republished in the Official Gazette of Romania No. 456/18.VI.2008	Article 80 (1) a) of the Patent Law No. 64 of 1991 as republished in the Official Gazette of Romania No. 456/18.VI.2008
<b>Russian Federation</b>	Article 1359 no.2 of the Patent Law (Chapter 72)	
<b>Saint Lucia</b>	Section 62 (2) a) of the Patents Act No. 16 of 27/08/2001	
<b>Serbia</b>	Article 59 no.2 of the Patent Law No. 15 of 02/07/2004	Article 59 no.2 of the Patent Law No. 15 of 02/07/2004
<b>Singapore</b>	Section 66 (2) b) of the Patent Act (Chapter 221) No. 21 of 25/11/1994 as of 01/12/2008	Section 66 (2) h) of the Patent Act (Chapter 221) No. 21 of 25/11/1994 as of 01/12/2008

Country	Research exception	Bolar exception
<b>Slovakia (EU)</b>	Article 18 (2) f) of the Act No. 435 of 2001 Coll. on Patents as last amended by Act No. 517/2007 Coll.	Article 18 (2) f) of the Act No. 435 of 2001 Coll. on Patents as last amended by Act No. 517/2007 Coll.
<b>Slovenia (EU)</b>	Article 19 b) of the Industrial Property Act of 23 May 2001	Article 19 b) of the Industrial Property Act of 23 May 2001
<b>South Africa</b>		Section 69A of the Patents Act No. 57 of 1978 (as last amended by Act No. 58 of 2002)
<b>Spain (EU)</b>	Article 52 (1) b) of the Law about Patents of Invention and Utility Models No.11/1986 of 20/03/1986 as last amended by Law No. 10 of 29/04/2002	Article 52 (1) b) of the Law about Patents of Invention and Utility Models No.11/1986 of 20/03/1986 as last amended by Law No. 10 of 29/04/2002
<b>Sri Lanka</b>	Section 86 (1) (i) of the Intellectual Property Act, No. 36 of 2003	
<b>Swaziland</b>	Section 12 (4) c) of the Patents, Utility Models and Industrial Designs Act No. 6 of 1997	

Country	Research exception	Bolar exception
<b>Sweden (EU)</b>	Section 3 (3) no. 3 of the Patents, Act No. 837 of 01/12/1967 as last amended in 2004	
<b>Switzerland</b>	Article 9 (1) b) of the Patent Law of 25/06/1954 (as on 01/07/2009)	Article 9 (1) c) of the Patent Law of 25/06/1954 (as on 01/07/2009)
<b>Thailand</b>	Section 36 (2) no.1 as amended by the Patent Act No.2 B.E 2535 and the Patent Act No.3 B.E. 2542 as amended by the Patent Act No.2 B.E 2535 and the Patent Act No.3 B.E. 2542	Section 36 (2) no.4 of the Patent Act B.E. 2522 of 11/03/1979 as amended by the Patent Act No.2 B.E 2535 and the Patent Act No.3 B.E. 2542
<b>The former Yugoslav Republic of Macedonia</b>	Article 91 no.2 of the Law on Industrial Property adopted on 12/02/2009	Article 91 no.2 of the Law on Industrial Property adopted on 12/02/2009
<b>Tonga</b>	Section 13 (4) (4) of the Industrial Property Act No. 19 of 09/11/1994	

Country	Research exception	Bolar exception
<b>Trinidad and Tobago</b>	Section 42 b) of the Patent Act No. 21 of 1996	
<b>Tunisia</b>	Article 47 (b) of the Patents Law No. 2000-84 of 24/08/2000	Article 47 (e) of the Patents Law No. 2000-84 of 24/08/2000
<b>Turkey</b>	Article 75 b) of the Decree-Law on the Protection of Patent Rights No. 551 of 27/06/1995	
<b>Uganda</b>	Section 28 a) of the Patent Act of 15/10/1993	
<b>Ukraine</b>	Article 31 (2) of the Law on the Protection of Rights to Inventions and Utility Models No. 3687-XII of 15/12/1993 as last amended in 2003	

Country	Research exception	Bolar exception
<b>United Kingdom (EU)</b>	Section 60 (5) b) of the Patents Act of 1977 (unofficial consolidation of 01/01/2010)	Section 60 (5) (i) of the Patents Act of 1977 (unofficial consolidation of 01/01/2010)
<b>United Republic of Tanzania</b>	Section 37 (1) of the Patents Act No. 1 of 1987	
<b>United States of America</b>		35 USC § 271(e)
<b>Uruguay</b>	Article 39 of the Industrial Property Law No. 17.16402/09/1999	Article 39 of the Industrial Property Law No. 17.16402/09/1999

Country	Research exception	Bolar exception
<b>Uzbekistan</b>	Section 12 of the Law on Inventions, Utility Models and Industrial Designs No. 1068-XII of 29/08/2002	
<b>Viet Nam</b>	Article 125 (2) a) of the Intellectual Property Law No. 50/2005/QH11 of 29/11/2005	Article 125 (2) a) of the Intellectual Property Law No. 50/2005/QH11 of 29/11/2005
<b>Andean Community</b>	Article 53 (b) of the Decision No. 486 of 14/09/ 2000 of the Commission of the Andean Community	
<b>European Union</b>		Directive 2001/82/EC (for veterinary medicinal products) And 2001/83/EC (medicinal products for human use) and the amending Directives 2004/27/EC and 2004/28/EC

Country	Research exception	Bolar exception
<b>Gulf Cooperation Council</b>	Section 14 (1) of the Patent Regulation of the GCC (approved by the Supreme Council of the Cooperation Council for the Arab States of the Gulf) of 1992 (as at 23/04/2002)	
<b>OAPI</b>	Article 8 (1) c) of the Bangui Agreement of 02/03/1977 (Annex I), as last amended in February 1999	

Country	Research exception	Bolar exception

**(4) Utility Models**

Country	Notion	Requirements of protection	Exclusions from utility model protection
<b>Albania</b>	a) Inventions which are patentable according to this Law; b) Inventions which are new, susceptible of industrial application and are the result of a creative effort	Novelty, industrial application and creative effort	Processes, animal and plant varieties
<b>Antigua and Barbuda</b>	No specific provision	Novelty and industrial application	The same of patents
<b>Argentina</b>	Toda disposición o forma nueva obtenida o introducida en herramientas, instrumentos de trabajo, utensilios, dispositivos u objetos conocidos que se presten a un trabajo práctico, en cuanto importen una mejor utilización en la función a que estén destinados, conferirán a su creador el derecho exclusivo de explotación, que se justificará por títulos denominados certificados de modelos de utilidad	Novelty, and industrial application	The same of patents
<b>Armenia</b>	Any new and industrially applicable solution that concerns a production (equipment, material) or a method (condition for patentability of utility model) shall be protected as a utility model in the order established by the Law	Novelty and industrial application	-Biological substance -Chemical or pharmaceutical substances or means, as well as methods of human and animal curing (+ the same of patents)

Country	Notion	Requirements of protection	Exclusions from utility model protection
<b>Australia</b>	No specific provision	Novelty, innovative step, usefulness, not secretly used in the patent area before the priority date	<ul style="list-style-type: none"> <li>- Human being and biological process for their generation</li> <li>- Plants and animals</li> <li>- Biological processes for the generation of plants and animals</li> </ul>
<b>Austria (EU)</b>	No specific provision	Novelty, inventive step, industrial application	<ul style="list-style-type: none"> <li>-Inventions contrary to ordre public or morality</li> <li>- Methods for treatment of humans by surgery or therapy and diagnostic methods</li> <li>- Plant or animal varieties</li> </ul>
<b>Belarus</b>	A technical solution relating to a device shall constitute a utility model eligible for legal protection under this Law if it is novel and industrially applicable	Novelty, industrial application	<ul style="list-style-type: none"> <li>– Solutions concerning solely the outward appearance of manufactured articles and intended to satisfy aesthetic requirements;</li> <li>– Solutions contrary to public interest, humanitarian principles or morality</li> </ul>
<b>Belize</b>	No specific provision	Novelty and industrial application	The same of patents
<b>Botswana</b>	No specific provision	Novelty and industrial application	The same of patents
<b>Brazil</b>	An object of practical use, or part thereof, is patentable as a utility model, when it is susceptible of industrial	Novelty, industrial application and inventive act	<p>The following are not considered to be inventions or utility models:</p> <p>I. discoveries, scientific theories, and</p>

Country	Notion	Requirements of protection	Exclusions from utility model protection
	application, presents a new shape or arrangement and involves an inventive act that results in a functional improvement in its use or manufacture		mathematical methods; II. purely abstract conceptions; III. commercial, accounting, financial, educational, advertising, raffling, and inspection schemes, plans, principles or methods; IV. literary, architectural, artistic and scientific works, or any aesthetic creation; V. computer programs per se; VI. presentation of information; VII. rules of games; VIII. surgical techniques and methods, as well as therapeutic or diagnostic methods, for application to human or animal body; and IX. all or part of natural living beings and biological materials found in nature, even if isolated therefrom, including the genome or germoplasm of any natural living being, and the natural biological processes
<b>Bulgaria (EU)</b>	No specific provision	Novelty, inventive step and industrial application	<ul style="list-style-type: none"> <li>- Biological inventions</li> <li>- Methods</li> <li>- Chemicals compounds or the use thereof</li> </ul> + the same of patents
<b>Chile</b>	los instrumentos, aparatos, herramientas, dispositivos y objetos o partes de los mismos, en los que la	Novelty and industrial application	The same of patents

Country	Notion	Requirements of protection	Exclusions from utility model protection
	<p>forma sea reivindicable, tanto en su aspecto externo como en su funcionamiento, y siempre que ésta produzca una utilidad, esto es, que aporte a la función a que son destinados un beneficio, ventaja o efecto técnico que antes no tenía</p>		
<p><b>China</b></p>	<p>Any new technical solution relating to the shape, the structure, or their combination, of a product, which is fit for practical use</p>	<p>Novelty, inventiveness and usefulness</p>	<ul style="list-style-type: none"> <li>- Scientific discoveries;</li> <li>- Rules and methods for mental activities;</li> <li>- Methods for the diagnosis or for the treatment of disease;</li> <li>- Animal and plant varieties;</li> <li>- Substances obtained by means of nuclear transformation;</li> <li>- Two dimensional designs of images, colours or combinations of the two mainly serve as indicators.</li> </ul>
<p><b>Costa Rica</b></p>	<p>Toda nueva disposición o forma obtenida o introducida en herramientas, instrumentos de trabajo o utensilios conocidos, que permitan una mejor función o una función especial para su uso</p>	<p>Not specific provision</p>	<p>The same of patents</p>
<p><b>Croatia</b></p>	<p>No specific provision</p>	<p>The same of patents</p>	<p>The same of patents</p>



Country	Notion	Requirements of protection	Exclusions from utility model protection
<p><b>Czech Republic (EU)</b></p>	<p>Technical solutions which are new, exceed the framework of mere professional skill and are industrially applicable</p>	<p>Novelty, exceeding the framework of professional skill and industrial application</p>	<ul style="list-style-type: none"> <li>- Discoveries, scientific theories and mathematical methods;</li> <li>- The mere appearance of products;</li> <li>- Schemes, rules and methods for performing mental acts;</li> <li>- Computer programs;</li> <li>- The mere presentation of information</li> <li>- Technical solutions contrary to public interest, particularly the principles of humanity and public morality;</li> <li>- Plant or animal varieties and biological reproductive materials;</li> <li>- Production processes or work activities</li> </ul>
<p><b>Denmark (EU)</b></p>	<p>Any creation which is susceptible of industrial application or which provides a solution to a technical problem may on application, in accordance with this Act, be registered as a utility model</p>	<p>Novelty and industrial application</p>	<ul style="list-style-type: none"> <li>(i) One of the items referred to in section 1, (2) to (4), in the Danish Patents Act,</li> <li>(ii) plants or animals,</li> <li>(iii) war materiel or</li> <li>(iv) methods, cf. however section 47 of this Act</li> </ul>
<p><b>Dominica</b></p>	<p>No specific provision</p>	<p>Novelty and industrial application</p>	<p>The same of patents</p>

Country	Notion	Requirements of protection	Exclusions from utility model protection
<b>Dominican Republic</b>	Any new form, configuration or arrangement of elements of any device, tool, instrument, mechanism or other object, or some part of the same, which permits better or different functioning, utilization or manufacture of the object incorporating it, or which gives it some utility, advantage or technical effect it did not have before.	Novelty	<ul style="list-style-type: none"> <li>- Procedures</li> <li>- Chemical, metallurgical or any other kind of substances or compounds</li> <li>- Items excluded from protection by invention patent invention pursuant to this law.</li> </ul>
<b>Egypt</b>	Any new technical addition in the structure or composition of devices, tools, equipment or their components, or products, processes or means of manufacturing the above, and the like that is in current use.	Novelty and technical addition (deduced from the notion)	Not specific provision
<b>El Salvador</b>	Any shape, configuration or arrangement of elements of any artefact, tool, instrument, mechanism or other object, or of any part thereof, that makes for the better or different operation, use or manufacture of the object incorporating it, or which lends it some usefulness, advantage or technical effect that it did not have previously.	Novelty	Not specific provision

Country	Notion	Requirements of protection	Exclusions from utility model protection
<b>Estonia (EU)</b>	No specific provision	Novelty, inventive step and industrial application	<ul style="list-style-type: none"> <li>- Inventions which are contrary to public order and morality;</li> <li>- Methods of treatment and diagnostic methods practised on the human or animal body;</li> <li>- Biotechnological inventions</li> </ul>
<b>Ethiopia</b>	No specific provision	Novelty and industrial application	<ol style="list-style-type: none"> <li>1. Changes in the shape, proportions or material of a patented object or of one that is public property, except where such a change alters the qualities or functions of the object thereby producing an improvement in its use or the effects of its intended functions;</li> <li>2. The mere replacement of elements in a known combination by other known elements having an equivalent function, which does not thereby produce an improvement in its use or the effect of its intended functions; or</li> <li>3. Minor inventions that are contrary to public order or morality.</li> </ol>
<b>Finland (EU)</b>	A technical solution that is commercially exploitable.	Novelty	<ul style="list-style-type: none"> <li>- Inventions the exploitation of which would be contrary to morality or public policy;</li> <li>- Plant or animal varieties; or</li> <li>- Processes.</li> </ul> <p>+ The same of patents</p>
<b>France (EU)</b>	No specific provision	Novelty, inventive step, industrial application	The same of patents

Country	Notion	Requirements of protection	Exclusions from utility model protection
<p><b>Georgia</b></p>	<p>By a patent shall be protected such a utility model, which relates to improved devices, substances, or methods and satisfies the criteria of novelty and industrial applicability</p>	<p>Novelty and industrial application</p>	<ul style="list-style-type: none"> <li>- A discovery, scientific theory, or mathematical method;</li> <li>- A result of artistic design;</li> <li>- Algorithms and programs for computers;</li> <li>- Education, teaching method and system, grammatical system of language, also methods for performing mental acts, rules for games or doing business.</li> <li>- Economical organization and managing method;</li> <li>- Plan and scheme of structures, buildings, territories;</li> <li>- A presentation of the information;</li> </ul>
<p><b>Germany (EU)</b> (English version of 1994. Last amended version of 2009 not available in English)</p>	<p>No specific provision</p>	<p>Novelty, inventive step and industrial application</p>	<ul style="list-style-type: none"> <li>- Inventions the publication or exploitation of which would be contrary to public policy or morality, provided that the exploitation shall not be deemed to be so contrary merely because it is prohibited by law or regulation. The first sentence above shall not exclude protection of an invention falling under Section 9;</li> <li>- Plant or animal varieties;</li> <li>- Processes.</li> </ul>
<p><b>Ghana</b></p>	<p>A certificate granted in a case where the invention although new and useful would be considered obvious from the point of view of a person skilled in the</p>	<p>Novelty and industrial application</p>	<p>The same of patents</p>

Country	Notion	Requirements of protection	Exclusions from utility model protection
	art		
<b>Greece (EU)</b>	Novel and industrially applicable three-dimensional object with definite shape and form, such as a tool, an instrument, a device, an apparatus or even parts thereof, proposed as novel and industrially applicable and capable of giving a solution to a technical problem	Novelty and industrial application	The same of patents
<b>Guatemala</b>	Se considerarán modelos de utilidad los utensilios, objetos, aparatos, instrumentos, herramientas y dispositivos, así como las partes de los mismos, que como resultado de una modificación en su disposición, configuración, estructura o forma, presenten una función diferente respecto de las partes que lo integran o ventajas en cuanto a su utilidad	Novelty and industrial application	<ul style="list-style-type: none"> <li>- Los procedimientos;</li> <li>- Las sustancias o composiciones; y</li> <li>- La materia excluida de patentabilidad de conformidad con esta ley.</li> </ul>
<b>Honduras</b>	Cualquier forma, configuración o disposición de elementos de algún artefacto, herramienta, instrumento, mecanismo u otro objeto, o de alguna parte del mismo, que permita un mejor o diferente funcionamiento, utilización o fabricación del objeto que lo incorpora, o que le proporcione alguna utilidad, ventaja o efecto técnico que antes no tenía	Novelty and industrial application	<ul style="list-style-type: none"> <li>- Los procedimientos;</li> <li>- Las sustancias o composiciones química, metalúrgicas o de cualquier otra índole; y,</li> <li>- La materia excluida de protección por patente de invención de conformidad con esta Ley.</li> </ul>

Country	Notion	Requirements of protection	Exclusions from utility model protection
<b>Hungary (EU)</b>	Any solution relating to the configuration or construction of an article or to the arrangement of parts thereof (hereinafter referred to as "a utility model") which is new, involves an inventive step and is susceptible of industrial application	Novelty, inventive step and industrial application	<ul style="list-style-type: none"> <li>- The aesthetic design of an article;</li> <li>- Plant varieties and animal breeds.</li> </ul>
<b>Indonesia</b>	Any Invention in the form of a product or device, which is novel and possesses practical use values because of its shape, configuration, construction, or component may be granted a legal protection in the form of a Simple Patent	Novelty	The same of patents
<b>Ireland (EU)</b>	No specific provision	Novelty, industrial application and inventive step (provided it is not clearly lacking of)	The same of patents
<b>Italy (EU)</b>	Nuovi modelli atti a conferire particolare efficacia o comodità di applicazione o di impiego a macchine, o parti di esse, strumenti, utensili od oggetti di uso in genere, quali i nuovi modelli consistenti in particolari conformazioni, disposizioni, configurazioni o combinazioni di parti	Novelty and industrial application	The same of patents

Country	Notion	Requirements of protection	Exclusions from utility model protection
<b>Japan</b>	A device that relates to the shape or structure of an article or combination of articles and is industrially applicable	Novelty, inventive step (a person ordinarily skilled in the art of the device would have not been exceedingly easy to create the device) and industrial application	Not specific provision
<b>Kazakhstan</b>	Utility models shall be construed as inventions that impart a new construction to means of production and consumer articles or parts thereof	Novelty and industrial application	The same of patents
<b>Kenya</b>	Any form, configuration or disposition of element of some appliance, utensil, tool, electrical and electronic circuitry, instrument, handicraft mechanism or other object or any part of the same allowing a better or different functioning, use, or manufacture of the subject matter or that gives some utility, advantage, environmental benefit, saving or technical effect not available in Kenya before and includes micro-organisms or other self replicable material, products of genetic resources, herbal as well as nutritional formulations which give new effects	Novelty and industrial application	The same of patents
<b>Kyrgyzstan</b>	No specific provision	Novelty and industrial application	The same of patents

Country	Notion	Requirements of protection	Exclusions from utility model protection
<b>Lao People's Democratic Republic</b>	<p>“Petty patent” is an official document from state organization issued to protect devices.  “Device” is newly invented work derived from the technical development using technology not high as invention</p>	Novelty, inventive step and industrial application (but technical level lower than the inventions)	<ul style="list-style-type: none"> <li>- Discovery of inventions already existing</li> <li>- Discovery of scientific rules and theories</li> <li>- Mathematics</li> <li>- Business plans</li> <li>- Regulations or methods</li> <li>- Mental treatments or gambles</li> <li>- Human and animal treatment</li> <li>- Microorganisms and any component of natural microorganisms or extract from animals or plants</li> <li>- the invention and devices contrary to state peaces and social order, health, environments, rules and laws, and national good traditional cultures</li> </ul>
<b>Malaysia</b>	Any innovation which creates a new product or process, or any new improvement of a known product or process, which is capable of industrial application, and includes an invention	Novelty and industrial application	The same of patents
<b>Mexico</b>	Objects, utensils, appliances or tools which, as a result of a modification in their arrangement, configuration, structure or form, offer a different function with respect to their component parts or advantages with respect to their usefulness shall be considered utility models	Novelty and industrial application	Not specific provision



Country	Notion	Requirements of protection	Exclusions from utility model protection
Mongolia	An industrial device, product, their basic part, and a new, industrially applicable solution	Not specific provision	Not specific provision
Mozambique	An invention that gives an object or part of an object a shape, structure, mechanism or layout which functionally increases its utility or improves the conditions of its manufacture	Novelty, inventive step and industrial application	The same of patents
Namibia	No specific provision	Novelty and industrial application	The same of patents
Nicaragua	An invention consisting of a shape, configuration or arrangement of the components of any object, or of a part thereof, that gives it a certain technical effect in its manufacture, operation or use	Novelty and industrial application	<ul style="list-style-type: none"> <li>- Processes;</li> <li>- Chemical, metallurgical or any other substances or compositions;</li> <li>- Subject matter excluded from invention patent protection under this Law.</li> </ul>
Panama	Any shape, configuration or arrangement of the components of any appliance, tool, instrument, mechanism or other object, or any part thereof, that makes for the better or different operation, use or manufacture of the object incorporating it, or lends it any usefulness, advantage or technical effect that it did not have previously	Novelty and industrial application	The same of patents

<b>Country</b>	<b>Notion</b>	<b>Requirements of protection</b>	<b>Exclusions from utility model protection</b>
<b>Paraguay</b>	Invención constituida por una forma, configuración o disposición de elementos de un artefacto, herramienta, instrumento, mecanismo u otro objeto, o de alguna parte del mismo, que permita un mejor o diferente funcionamiento, utilización o fabricación del objeto que lo incorpora, o que le proporcione alguna utilidad o efecto técnico que antes no tenía	Novelty and industrial application	<ul style="list-style-type: none"><li>- Los procedimientos;</li><li>- Las sustancias o composiciones químicas, metalúrgicas o de cualquier otra índole; y,</li><li>- La materia excluida de protección por patente de invención de conformidad con esta ley.</li></ul>

Country	Notion	Requirements of protection	Exclusions from utility model protection
<p><b>Philippines</b></p>	<p>Any technical solution of a problem in any field of human activity. A utility model may be, or may relate to</p> <ul style="list-style-type: none"> <li>(a) a useful machine;</li> <li>(b) an implement or tool;</li> <li>(c) a product or composition;</li> <li>(d) a method or process; or</li> <li>(e) an improvement of any of the foregoing</li> </ul>	<p>Novelty and industrially applicable</p>	<ul style="list-style-type: none"> <li>- Discoveries, scientific theories and mathematical method;</li> <li>- Schemes, rules and methods of performing mental acts, playing games or doing business, and programs for computers;</li> <li>- Methods for treatment of the human or animal body by surgery or therapy and diagnostic methods practiced on the human or animal body. This provision shall not apply to products and compositions for use in any of these methods;</li> <li>- Plant varieties or animal breeds or essentially biological process for the production of plants or animals. This provision shall not apply to microorganisms and non-biological and microbiological processes;</li> <li>- Aesthetic creations; and</li> <li>- Anything which is contrary to public order or morality</li> </ul>
<p><b>Poland (EU)</b></p>	<p>Any new and useful solution of a technical nature affecting shape, construction or durable assembly of an object shall constitute a utility model</p>	<p>Novelty and usefulness</p>	<p>The same of patents</p>

Country	Notion	Requirements of protection	Exclusions from utility model protection
<b>Portugal (EU)</b>	No specific provision	Novelty, inventive step and industrial application	<ul style="list-style-type: none"> <li>- Inventions whose commercial exploitation is against the law or contrary to public policy, public health or morality and their exploitation may not be considered as such due to the simple fact that it is forbidden by law or regulations;</li> <li>- Inventions involving biological material;</li> <li>- Inventions involving chemical or pharmaceutical substances or processes.</li> </ul> + The same of patents
<b>Republic of Korea</b>	Devices that are industrially applicable and relate to the shape or structure of an article or a combination of articles	Novelty, inventive step and industrial application	<ul style="list-style-type: none"> <li>- Devices that are identical or similar to the national flag or decorations; or</li> <li>- Devices liable to contravene public order or morality, or to injure public health.</li> </ul> + The same of patents
<b>Republic of Moldova</b>	No specific provision	Novelty, inventive step and industrial application	<ul style="list-style-type: none"> <li>- Biological material;</li> <li>- Chemical or pharmaceutical substances and/or processes</li> </ul> + The same of patents

Country	Notion	Requirements of protection	Exclusions from utility model protection
<p><b>Romania (EU)</b></p>	<p>No specific provision</p>	<p>Novelty, inventive step (exceeding the framework of mere professional skill) and industrial application</p>	<p>The following shall not be protected as utility models:  a) inventions the commercial exploitation of which would be contrary to public order or morality, including inventions harmful to the health or life of persons, animals or plants or which are likely to seriously harm the environment, provided that said exception shall not depend merely on the fact that exploitation thereof is prohibited by a legal provision;  b) plant varieties and animal breeds;  c) inventions having as a subject-matter biological material;  d) inventions having as a subject-matter a product consisting of a chemical or pharmaceutical substance;  e) inventions having as a subject-matter a process or a method</p>
<p><b>Russian Federation</b></p>	<p>A technical solution relating to a device</p>	<p>Novelty and industrial application</p>	<p>Legal protection as utility models shall not be granted to:  1) proposals concerning solely the outward appearance of manufactured articles and intended to satisfy aesthetic requirements; 2) layout-designs (topographies) of integrated circuits</p>

<b>Country</b>	<b>Notion</b>	<b>Requirements of protection</b>	<b>Exclusions from utility model protection</b>
<b>Serbia</b>	No specific provision	Novelty, inventive step and industrial application	The same of patents

Country	Notion	Requirements of protection	Exclusions from utility model protection
<p><b>Slovakia (EU)</b></p>	<p>Technical solution, which is new, is a result of an inventive activity, and is industrially applicable, shall be protected as a utility model</p>	<p>Novelty, inventive activity, industrial application</p>	<ul style="list-style-type: none"> <li>- Technical solutions commercial exploitation of which would be in contradiction with public order or good manners; prohibition of a technical solution exploitation as such shall not be considered to be in contradiction with public order or good manners within the meaning of this provision;</li> <li>- Plant and animal varieties;</li> <li>- Essentially biological processes for production of plants or animals;</li> <li>- Methods of surgical or therapeutic treatment of human or animal body and diagnostic methods and methods of diseases prevention used on a human or animal body;</li> <li>- Technical solutions concerning products consisting of biological material or containing biological material or a process by means of which the biological material is produced, processed or used;</li> <li>- Methods for production of chemical substances;</li> <li>- Methods for production of pharmaceutical substances; and</li> <li>- Medical use of substances and compositions of substances</li> </ul>

Country	Notion	Requirements of protection	Exclusions from utility model protection
Slovenia (EU)	No specific provision	Novelty, creative effort and industrial application	Processes, plant varieties and animal breeds
Spain (EU)	las invenciones que, siendo nuevas e implicando una actividad inventiva, consisten en dar a un objeto una configuración, estructura o constitución de la que resulte alguna ventaja prácticamente apreciable para su uso o fabricación	Novelty, industrial application and inventive activity	Inventions having as a subject-matter a process and plant varieties
Swaziland	No specific provision	Novelty and industrial application	The same of patents
Thailand	No specific provision	Novelty and industrial application	The same of patents
Tonga	No specific provision	Novelty and industrial application	The same of patents
Trinidad and Tobago	No specific provision	Novelty and industrial application	The same of patents



Country	Notion	Requirements of protection	Exclusions from utility model protection
<b>Turkey</b>	Inventions which are novel according to Article 156 of this present Decree-Law and applicable in industry in the sense of Article 10 of this present Decree-Law shall be protected by grant of Utility Model Certificate	Novelty and industrial application	Processes and products obtained by such processes and chemical products + the same of patents
<b>Uganda</b>	No specific provision	Novelty and industrial application	The same of patents
<b>Ukraine</b>	A result of intellectual activity of a human being in any field of technology	Novelty and industrial application	The same of patents
<b>United Arab Emirates</b>	A deed of protection being issued by the Administration of Industrial Property in the name of this state for an invention that does not result from intellectual effort sufficient for granting a letters patent	Novelty and industrial application	<ul style="list-style-type: none"> <li>- Plant varieties, animal species, or biological methods of producing plants or animals. Exceptions shall be allowed for the microbiological methods and their products.</li> <li>- Diagnostic methods, treatments, and surgical operations needed for humans and animals.</li> <li>- Scientific and Mathematical principles, discoveries and methods.</li> <li>- Guides, rules or methods followed to conduct business or perform mental activities or play games.</li> <li>- Invention that may lead to violation of the public order or morals</li> </ul>

Country	Notion	Requirements of protection	Exclusions from utility model protection
United Republic of Tanzania	No specific provision	Novelty and industrial application	The same of patents
Uruguay	Toda nueva disposición o conformación obtenida o introducida en herramientas, instrumentos de trabajo, utensilios, dispositivos, equipos u otros objetos conocidos, que importen una mejor utilización o un mejor resultado en la función a que están destinados, u otra ventaja para su uso o fabricación	Novelty and minimum inventive activity	<ul style="list-style-type: none"> <li>-Los cambios de forma, dimensiones, proporciones o material de un objeto, ano ser que tales cambios modifiquen sus cualidades o funciones;</li> <li>- La simple sustitución de elementos por otros ya conocidos como equivalentes;</li> <li>-Los procedimientos;</li> <li>- La materia excluida de protección por patente de invención de conformidad con la presente ley</li> </ul>
Uzbekistan	No specific provision	Novelty and industrial application	The same of patents
Viet Nam	No specific provision	Novelty and industrial application	The same of patents

Country	Notion	Requirements of protection	Exclusions from utility model protection
<p><b>Andean Community</b></p>	<p>Any new shape, configuration or arrangement of components of any device, tool, implement, mechanism or other object, or any part thereof, that makes for improved or different operation, use or manufacture of the object incorporating it, or which endows it with any usefulness, advantage or technical effect that it did not have previously</p>	<p>Not specific provision</p>	<p>Procedures and materials excluded from patent protection</p>
<p><b>ARIPO</b></p>	<p>Any form, configuration or disposition of elements of some appliance, working tools and implements as articles of everyday use, electrical and electronic circuitry or other object or part thereof in so far as they are capable of contributing some benefit or new effect or saving in time, energy, or labour or improving the hygienic or sociophysiological working conditions by means of new configuration, arrangement or device or a combination thereof and are industrially applicable</p>	<p>Novelty and industrial application</p>	<p>No specific provision</p>

<b>Country</b>	<b>Notion</b>	<b>Requirements of protection</b>	<b>Exclusions from utility model protection</b>
<b>OAPI</b>	Implements of work or objects to be utilized or parts of such implements or objects in so far as they are useful for the work or employment for which they are intended on account for a new configuration, a new arrangement or a new component device, and are industrially applicable	Novelty and industrial application	Three-dimensional works, architectural works and objects that are of solely aesthetic character shall not be considered utility models.  Procedures and materials excluded from patent protection may not be the subject of utility model patents

[End of Annex II and of document]