

Country

**QUESTIONNAIRE**

**ON THE GRANT AND PUBLICATION OF “SUPPLEMENTARY PROTECTION CERTIFICATES” FOR MEDICINAL AND PHYTOPHARMACEUTICAL PRODUCTS OR EQUIVALENT INDUSTRIAL PROPERTY RIGHTS (SPCs)**

**Question 1:** Does your Office grant “supplementary protection certificates” for medicinal products or equivalent industrial property rights (SPCs) that extend the validity of patents covering medicinal, pharmaceutical, agrochemical or cognate products and phytopharmaceutical products?

(a) In the field of medicinal products

Yes

No

(b) In the field of phytopharmaceutical products

Yes

No

**Question 2:** Will your Office start granting SPCs in the future?

(a) In the field of medicinal products

Yes

No

(b) In the field of phytopharmaceutical products

Yes

No

**Question 3:** Please, specify the legal basis for granting SPCs (national law, regional regulation, etc.).

(a) In the field of medicinal products

(1) Laws: Patent Law , 1999, Astana, article 5

(2) Decrees, ordinances

(3) Other

(b) In the field of phytopharmaceutical products

(1) Laws: Patent Law, 1999, Astana, article 5

(2) Decrees, ordinances

(3) Other

**Question 4: Please specify the name of the SPC granted by your Office.**

- (a) In the field of medicinal products : the invention patent, extended for a period not exceeding five years with authorization of a competent authority, in accordance with article 5 of Patent Law of Republik of Kazakhstan.
- (b) In the field of phytopharmaceutical products: the invention patent, extended for a period not exceeding five years with authorization of a competent authority, in accordance with article 5 of Patent Law of Republik of Kazakhstan.

**Question 5: Please specify for which fields of technology or which products an SPC can be obtained (for example, medicinal products, phytopharmaceutical products, herbicides, agro-chemicals, all products subject to regulatory approval for marketing, etc.).**  
**All products subject to regulatory approval for marketing.**

**Question 6: Does your Office publish or intend to publish the receipt of an application for an SPC?**

*(If "Yes," please attach specimen of a front page of an SPC and/or of announcements regarding SPCs made in an Official Gazette.)*

- (a) In the field of medicinal products
- Yes
- No ?
- (b) In the field of phytopharmaceutical products
- Yes
- No ?

**Question 7: If your reply to question 6 is "Yes," please indicate the minimum elements a publication must contain:**

- (a) In the field of medicinal products
- (i) number allotted to receipt of the application
- (ii) date of said receipt
- (iii) name and address of the applicant
- (iv) number of the basic patent
- (v) title of the invention
- (vi) number of any authorization to place the product on the market, including the product identified in that authorization
- (vii) date of the said authorization
- (viii) other elements (please specify)
- (b) In the field of phytopharmaceutical products
- (i) number allotted to receipt of the application
- (ii) date of said receipt
- (iii) name and address of the applicant
- (iv) number of the basic patent
- (v) title of the invention

- (vi) number of any authorization to place the product on the market, including the product identified in that authorization
- (vii) date of the said authorization
- (viii) other elements (please specify)

**Question 8: Does your Office publish or intend to publish the fact that an SPC has been granted?**

*(If "Yes," please attach specimen of a front page of an SPC and/or of announcements regarding the grant of SPCs made in an Official Gazette.)*

- (a) In the field of medicinal products
- (b) In the field of phytopharmaceutical products

The term of the invention patent will be extended.

**Question 9: If your reply to question 8 is "Yes," please indicate the minimum elements a publication must contain:**

- (a) In the field of medicinal products
  - (i) registration number allotted to the granted SPC
  - (ii) date of registration of the granted SPC
  - (iii) name and address of the holder of the SPC
  - (iv) number of the basic patent
  - (v) title of the invention
  - (vi) number of any authorization to place the product on the market, including the product identified in that authorization
  - (vii) date of the said authorization
  - (viii) duration of the SPC
  - (ix) other elements, e.g., patent classification, product name (please specify):
- (b) In the field of phytopharmaceutical products
  - (i) registration number allotted to the granted SPC
  - (ii) date of registration of the granted SPC
  - (iii) name and address of the holder of the SPC
  - (iv) number of the basic patent
  - (v) title of the invention
  - (vi) number of any authorization to place the product on the market, including the product identified in that authorization
  - (vii) date of the said authorization
  - (viii) duration of the SPC
  - (ix) other elements, e.g., patent classification, product name (please specify):

**Question 10: In which form does your Office make or intend to make the publications referred to in questions 6 and 8?**

- (a) In the field of medicinal products
  - (i) As regards applications for SPCs
    - (a) as part of an Official Gazette?
    - (b) by publishing the application?
    - (c) by laying the application open to public inspection?
    - (d) through online databases (or the Office's Web site)?
    - (e) by copy delivery of the application on request?
  - (ii) As regards granted SPCs
    - (a) as part of an Official Gazette?
    - (b) by publishing the SPC?
    - (c) by laying the SPC open to public inspection?
    - (d) through online databases (or the Office's Web site)?
    - (e) by copy delivery of the SPC on request?
- (b) In the field of phytopharmaceutical products
  - (i) As regards applications for SPCs
    - (a) as part of an Official Gazette?
    - (b) by publishing the application?
    - (c) by laying the application open to public inspection?
    - (d) through online databases (or the Office's Web site)?
    - (e) by copy delivery of the application on request?
  - (ii) As regards granted SPCs
    - (a) as part of an Official Gazette?
    - (b) by publishing the SPC?
    - (c) by laying the SPC open to public inspection?
    - (d) through online databases (or the Office's Web site)?
    - (e) by copy delivery of the SPC on request?

**Question 11: If your Office enters or intends to enter data from the documents relating to SPCs in online databases (internal or commercial ones), please indicate the names(s) of the databases(s) and specify the bibliographic data elements:**

- (a) In the field of medicinal products
  - (i) name(s) of database(s)
  - (ii) bibliographic data elements
- (b) In the field of phytopharmaceutical products

- (i) name(s) of database(s)
- (ii) bibliographic data elements

**Question 12: If your Office allots or intends to allot specific application and/or registration numbers to SPCs, please give details:**

- (a) As regards medicinal products
  - (i) concerning the numbering system for applications for SPCs
  - (ii) concerning the numbering system for registrations or grants of SPCs (if different from (a)(i))
- (b) As regards phytopharmaceutical products
  - (i) concerning numbering system for applications for SPCs
  - (ii) concerning the numbering system for registrations or grants of SPCs (if different from (b)(i))

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