

Circular C.8261

Exceptions and limitations to patent rights

EAPO has no additional or updated information to previously submitted response to the questionnaire on exceptions and limitations to patent rights.

Quality of patents

During examination of international applications (PCT applications entered into the regional phase) EAPO always uses international search/preliminary reports, supplemented with an additional search in the Eurasian patent database (EAPATIS) on Eurasian applications with an earlier filing/priority date published on or after that date, as well as in the Russian patent and non-patent databases.

When an applicant from a contracting state of the Eurasian Patent Convention (EAPC) files an application and claims a priority of an earlier national application, EAPO may use the national search report for the corresponding national application, although there is not a statutory requirement to submit such report.

When performing additional searches EAPO also takes into consideration any potentially relevant prior art cited by other patent offices on applications belonging to the same patent family as the application under examination at EAPO.

EAPO has signed the Joint Statement of Intent between the Eurasian Patent Organization and the Japan Patent Office to cooperate in the field of Patent Prosecution, and has joined the PPH pilot project from February 15, 2012.

Confidentiality of communications between clients and their patent advisors

The topic is beyond the scope of EAPO and is regulated by national laws of contracting states of EAPC.

Transfer of technology

The topic is beyond the scope of EAPO and is regulated by national laws of contracting states of EAPC.