

EPO Remarks on the Circular C.8344 as of March 10, 2014

Rule 13(1) of the Patent Regulations under the Eurasian Patent Convention provides that the transfer of the right to the Eurasian application or Eurasian patent may be effected as the assignment of the right, in accordance with the succession in title procedure or by any other method, and the right to a Eurasian application or Eurasian patent may be assigned in relation to the Contracting State whose legislation provides for the assignment of the right to an application or patent, under Rule 13(9) of the same Regulations.

Another provision of Rule 13 stipulates that license contracts on the use of a Eurasian patent shall be registered in accordance with the national legislation of the Contracting States in which the Eurasian patent has effect.

Moreover, the national Offices of the Contracting States should inform the Eurasian Office quarterly of all registered license contracts with respect to Eurasian patents, and the Eurasian Office, in turn, enters in the Register of Eurasian Patents the particulars of license contracts registered by the national Offices and publishes the corresponding information in the Gazette of the Eurasian Office.

The Eurasian Office shall also inform the national Offices of the Contracting States quarterly of all registered transfers of rights to a Eurasian patent.

Therefore, the Eurasian Patent System seems to be fully focused on and contribute to international transfer of technology.