

1. Prior art

1. Data made available to the public from a written or verbal description, public use or other source before the filing date (priority date).
2. Contents of Georgian patent and utility model applications with an earlier filing date (priority date) published after the filing date (priority date).

2. Novelty

The invention is not known from the state of the art. The state of the art consists of data made available to the public from a written or verbal description, public use or other source before the filing date (priority date), and the contents of Georgian patent and utility model applications with an earlier filing date (priority date) published after the filing date (priority date).

3. Inventive step

The invention is not obvious to a person skilled in the art from the state of the art. The state of the art consists of data made available to the public from a written or verbal description, public use or other source before the filing date (priority date).

4. Grace period

Disclosure not to be taken into account in determining patentability if it occurred within 12 months before the filing date (priority date):

- a) by action of an inventor or his/her successor in title;
- b) if information for the third party is disclosed, directly or indirectly, on the condition of confidentiality;
- c) as a result of third person's action in bad faith against the inventor or his/her successor.

5. Exclusions

1. The following shall not be regarded as an invention:

- a) Discoveries, scientific theories and mathematical methods.
- b) Artistic creations.
- c) Computer programs and algorithms.
- d) Educational or teaching methods and systems, grammatical language systems, methods for performing mental acts, rules for games or drawing.
- e) Methods of business and organizational management.
- f) Plans and schemes of structures, buildings, territories.
- g) Presentation of information.

Abovementioned objects shall not be considered patentable only where these are an immediate object of application.

2. A patent is not granted for:

- a) Inventions against public order;
- b) Inventions related to surgical, therapeutic and diagnostic methods of treatment of humans and animals. This rule does not apply to devices and substances used in such methods;
- c) Inventions related to plant varieties and breeds of animals, as well as primarily biological methods for plant and animal breed selection. This rule does not apply to micro-biological methods and products obtained through such methods.

6. Exceptions

1. Products put into economic circulation by, or with consent, of the patent owner.
2. Private use for non-commercial purposes.
3. Use of the invention on board the foreign vessel, aircraft, or land transport temporary present on the national territory. In such cases, the invention should be used exclusively on board such transportation means and not for entrepreneurial purposes.
4. Use of the invention for experimental or research purposes.
5. Conducting research and other procedures necessary for obtaining consent to put on the market the pharmaceutical products, protected by a patent, unless this pharmaceutical product is used for entrepreneurial purposes until the expiration of the patent validity term (Bolar provision).
6. Continued prior use by a person who, before the filing date (priority date), used the invention, or had made preparation for that purpose.
7. Any person, who has utilized an invention protected by patent in good faith or conducted preparations for exploitation of such invention from the date of patent revocation on the territory of Georgia until its reinstatement has the right to continue its use for entrepreneurial purposes (right of further use).
8. Compulsory licenses may be issued if:
 - a) it is necessary to use a patent during a natural calamity, catastrophe, epidemics, national defense, defense of public health;
 - b) it is impossible to use a patented invention without infringement of the exclusive rights of the patent owner on another earlier patent.

7. Disclosure

The description shall be sufficiently clear and complete to enable the skilled person in the art to carry out the invention.