

Patents Department

“Russia”

Code	RU
Country	Russia
National phase entry deadline	31 months
Documents required BY the national phase entry/filing deadline	<p>1) The form of the patent application with the author of the invention and the applicant-the person who has the right to obtain the patent, as well as the place of the residence or the location of each of them;</p> <p>2) description of the invention disclosing the essence of the invention with a full range sufficient to practice the invention by one of ordinary skill in the art;</p> <p>3) the claims of the invention, clearly expressing its nature and fully based on the description thereof;</p> <p>4) drawings and other materials, if necessary for understanding the essence of the invention;</p> <p>5) abstract.</p>
Documents required AFTER the national phase entry/filing deadline	Fees, for example. PoA (very rare, on special RuPTO inquiry only)
Translation requirements	Yes, all the docs have to be in Russian or translated to Russian.

Allowance of voluntary claim amendments at national phase entry	<p>Are claim amendments allowed at national phase entry? Or must the application be entered with the PCT claims?</p> <p>Applicant must indicate which application materials (originally filed or amended) should be considered at the national phase if more than one claim is submitted.</p>
Excess claims fees / page fees	<p>Any excess pages fees? When are they due? Does the sequence listing count towards the page fees?</p> <p>There is no dependence on the number of sheets. Fee's formula depends on different parameters (terms, number of claims, period when fee was paid).</p>
Requesting examination deadline	3 years since filing date
Deadline for filing voluntary claim amendments	Till the date of RuPTO final decision.
Prosecution procedure information	<p>Are post-allowance or post-grant amendments allowed?</p> <p>Two ways:</p> <p>1- Technical errors.</p> <p>2- Court decision only. Such cases are extremely rare.</p>
Novelty only prior art	<p>If a prior art patent document is filed before, but published after the filing date of the application being examined, is it relevant for novelty only? Or not relevant at all? What are the rules around novelty-only prior art?</p> <p>In order to verify the novelty of the claimed invention, the scope of the search also includes, subject to their earlier priority, patents and all applications filed in the Russian Federation (and int. apps if Russia was checked), regardless of whether information about them was published on the priority date of the application for information retrieval.</p>
Method of treatment / medical use claims	<p>Are method of treatment/diagnoses/surgery claims allowed?</p> <p>Are first and second medical use claims allowable? If so, in what format – e.g. Swiss type, of EPC 2000 'compound for use' format?</p>



	<p>If multiple formats are allowable is it preferable to have them all – is the scope considered different? Yes. Multiple formats are allowable.</p>
<p>Claim drafting information</p>	<p>Is it important to list the preferred subject-matter first in case of a lack of unity objection? No, any rules for this case. Applicant can point it out later.</p> <p>Can the pending claims be broadened during examination, though obviously not beyond what is taught by the application? Theoretically yes. If it will be possible to associate such extension with technical result of invention (and such extension based on initial description only).</p> <p>Can claims be added during examination? Yes. However, it has to be based on the application only.</p> <p>Are optional features allowed in claims? Yes.</p> <p>Can multiply dependent claims depend on other multiply dependent claims? An independent claim may contain a reference to another independent claim in the case when it allows to state this independent claim without fully repeating in it the contents of a large paragraph relating to another invention of the claimed group</p> <p>Must claims include 'characterised in that' language, or a purpose of some kind? No such restrictions. You can use German or States type of claims. Claim must be one complete sentence.</p> <p>Are there any specific points that you think we should know about for drafting claims that conform to local practice?</p>



Divisional applications	<p>If a lack of unity objection is raised – can the divisional be filed to one of the non-unified inventions? Yes.</p> <p>Are there any changes to the prosecution procedures for divisionals? No.</p> <p>Are second and subsequent generation divisional applications allowed? No, we have not these possibilities in Russia</p>
Double patenting	<p>Are there any restrictions, and if so do the restrictions apply to co-pending applications, parent/divisional applications, or both? Russia do not has such legal/patent designs.</p>
Accelerated examination	<p>Are there any methods of acceleration available? What are their deadlines? Yes, you can cut usual term up to 7 months - but it won't the date of decision but the date of first examination note (however this note could be the decision).</p>
Other comments	<p style="text-align: center;">-</p>
Renewal fees deadline	<p>Is there a grace period to allow for late payment? 3 years to pay renewal fee with fine (2.5 times for last year renewal fee + next year renewal fee)</p>

