

11/01/2016 Events

On November 1, 2016, it is one year since the entry into force of the Agreement between the Government of the Republic of Moldova and the European Patent Organization (EPO) on Validation of European Patents in the Republic of Moldova.

During this year, the State Agency on Intellectual Property (AGEPI) has undertaken a number of measures to ensure the functioning of the validation system in the Republic of Moldova, among these are:

- adjustment of the normative framework on tariffs related to legal procedures for validation of European patents in the Republic of Moldova (Government Decision No. 1072 of 22.09.2016 amending the Government Decision No. 774 of 13 August 1997, by which was approved the List of Services with Legal Significance in the Field of Protection of Intellectual Property Objects);
- development of proposals for amending the Regulations on the Procedure of Filing and Examination of the Patent Application and Issuance of Patent, approved by Government Decision No. 528 of 01.09.2009, which aims to introduce regulations on the rules of procedure of the European patent validation process in the Republic of Moldova;
- compilation and distribution in the country and abroad of information materials concerning the essence and procedure according to the Validation Agreement;
- development and adjustment of the infrastructure necessary for processing the requests for validation of European patents in the Republic of Moldova;
- cooperation with the European Patent Office with a view to exchange data in the field of patents and to integrate Republic of Moldova's data in the European Electronic Register of Patents;
- training of AGEPI specialists with the support of the EPO Academy in the field of European patent system.

The effects of signature of this Agreement are already visible. Thus, at present, there are 13 European patent applications for which the validation fees have been paid.

In October this year, the EPO has published information about the first European patent application for which the validation fee has been paid.

According to the procedure, information about these applications must be published by the EPO no earlier than 18 months from the date of filing or priority of the application and then communicated to the State Agency on Intellectual Property for publication in the Official Bulletin of Intellectual Property, thus providing access to patent information for the interested public.

Since the European patent applications after publication are subjected to the procedure of examination by the EPO, which can take on average 2-4 years with the adoption of a decision to be published, and the procedure under the Validation Agreement provides for actions before AGEPI after publication of the mention of the grant of the European patent by the EPO, it is expected that the

first European patents to be filed with the AGEPI for validation procedure, will start to come over at least 3-4 years after the entry into force of the Validation Agreement.

The single procedure for issuing European patents provides with a simpler and cost-effective way the obtaining of patent protection in the EPO Member States, but also in the expanding and validation states.

Protection by the route of the European patent will stimulate increased confidence of foreign investors in the ability of legislation and technical and administrative infrastructure of the Republic of Moldova to protect their investment, including in the field of industrial property and to provide protection at European level for their inventions. It will also stimulate innovation, technology transfer and creating a favorable investment climate.

After the entry into force of the Agreement, Moldova became the 42nd country in which patent protection can be obtained simultaneously through a single European patent application filed with the EPO. Currently, 38 states are members of the European Patent Organization, including all EU member states and 10 EU non-member states, the other two countries - Bosnia and Herzegovina and Montenegro signed with this Organization bilateral agreements extending the effect of the European patent, being at the stage of pre-accession to EPO, and in Morocco it is implemented a validation system similar to that in the Republic of Moldova.



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