

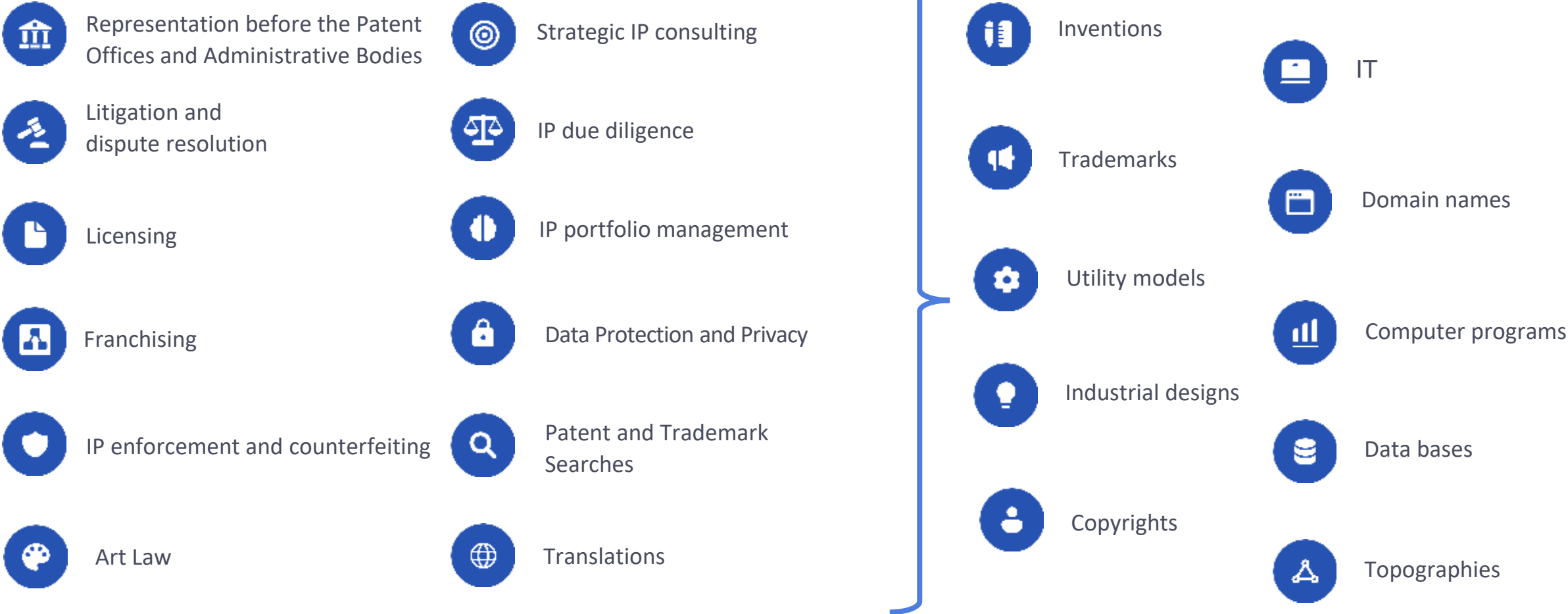
# GORODISSKY & PARTNERS

Since 1959

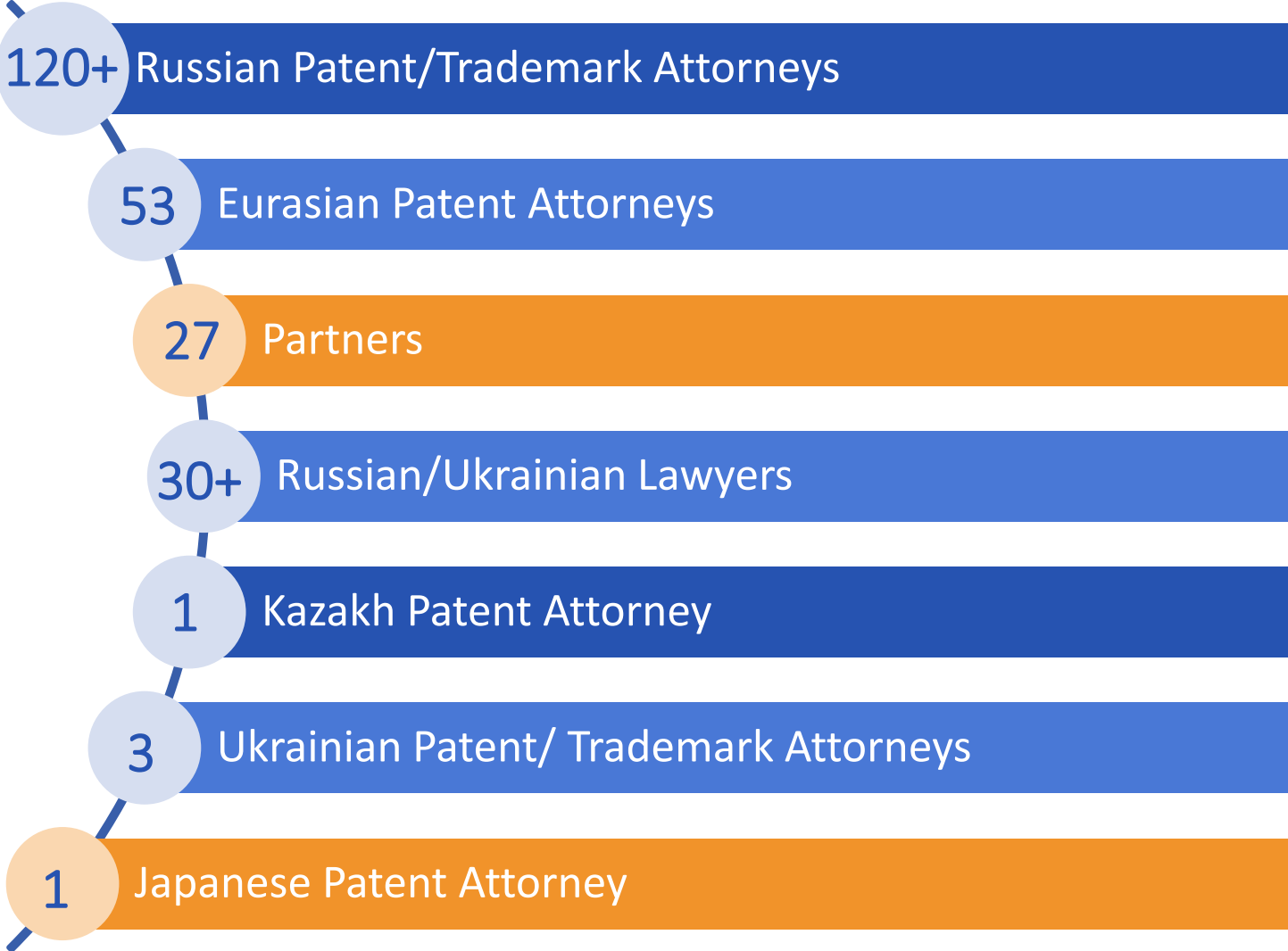
Intellectual Property & TMT

**GORODISSKY**  
INTELLECTUAL PROPERTY TMT

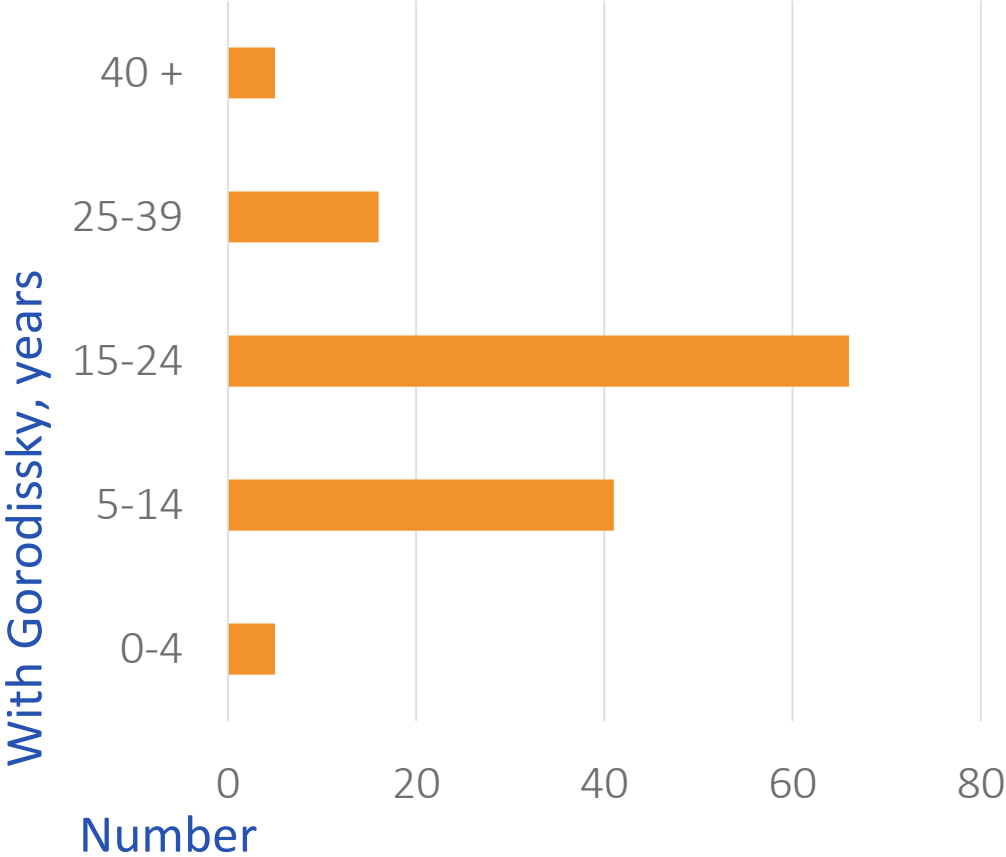
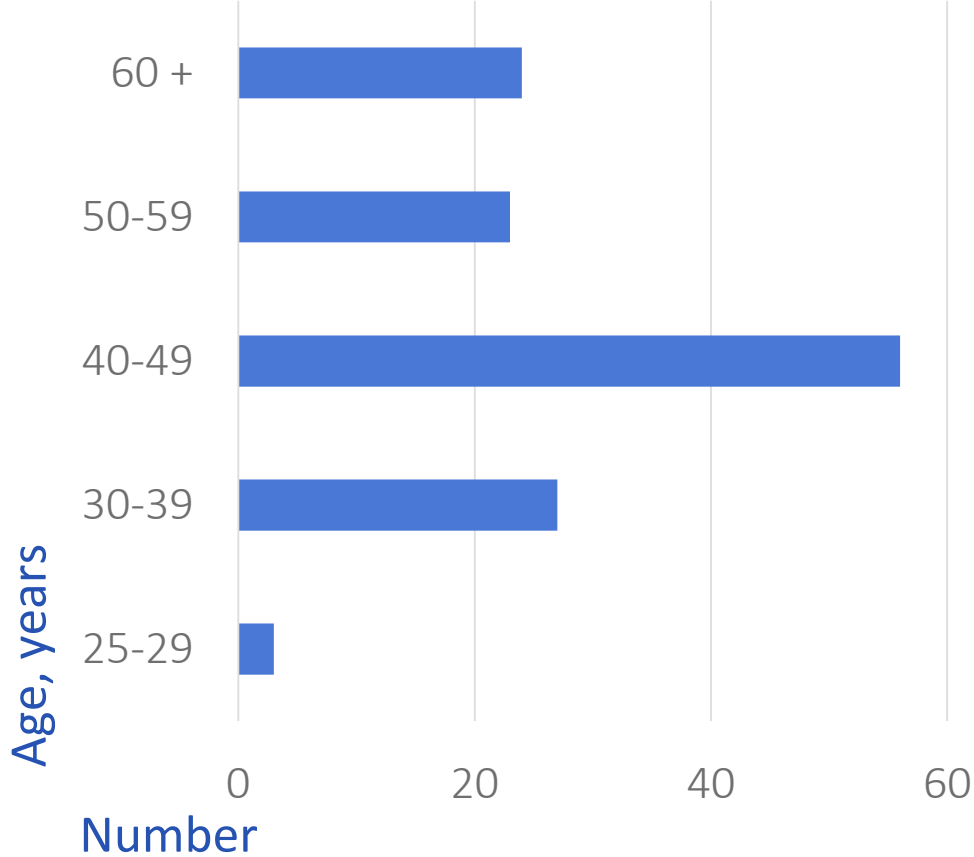
# FIRM'S SERVICES



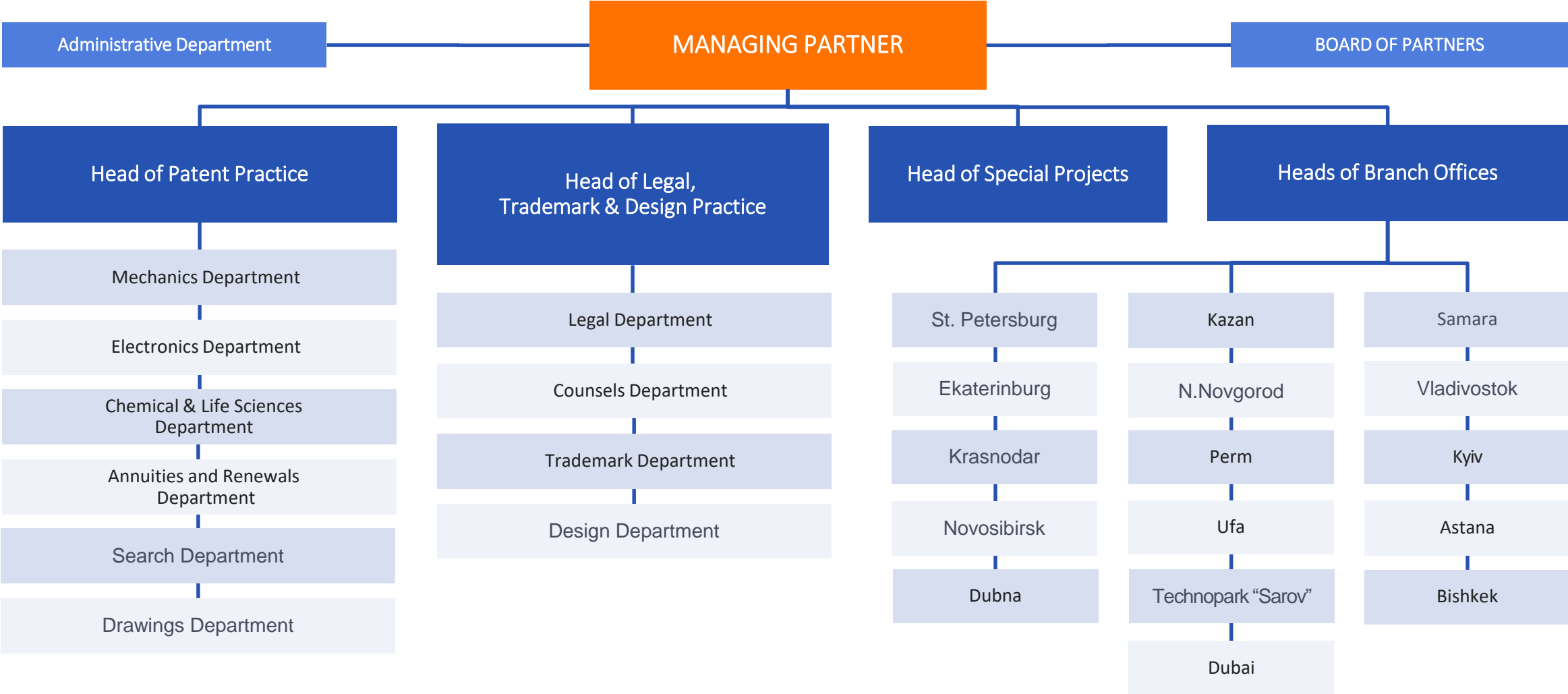
# OUR TEAM



# OUR IP ATTORNEYS AND LAWYERS



# FIRM'S STRUCTURE



# FIRM'S BRANCH OFFICES

## RUSSIA

- Moscow
- St-Petersburg
- Kazan
- Ekaterinburg
- Perm
- Samara
- Krasnodar
- N. Novgorod
- Technopark «Sarov»
- Novosibirsk
- Vladivostok
- Ufa
- Dubna

## KAZAKHSTAN

- Astana

## KYRGYZSTAN

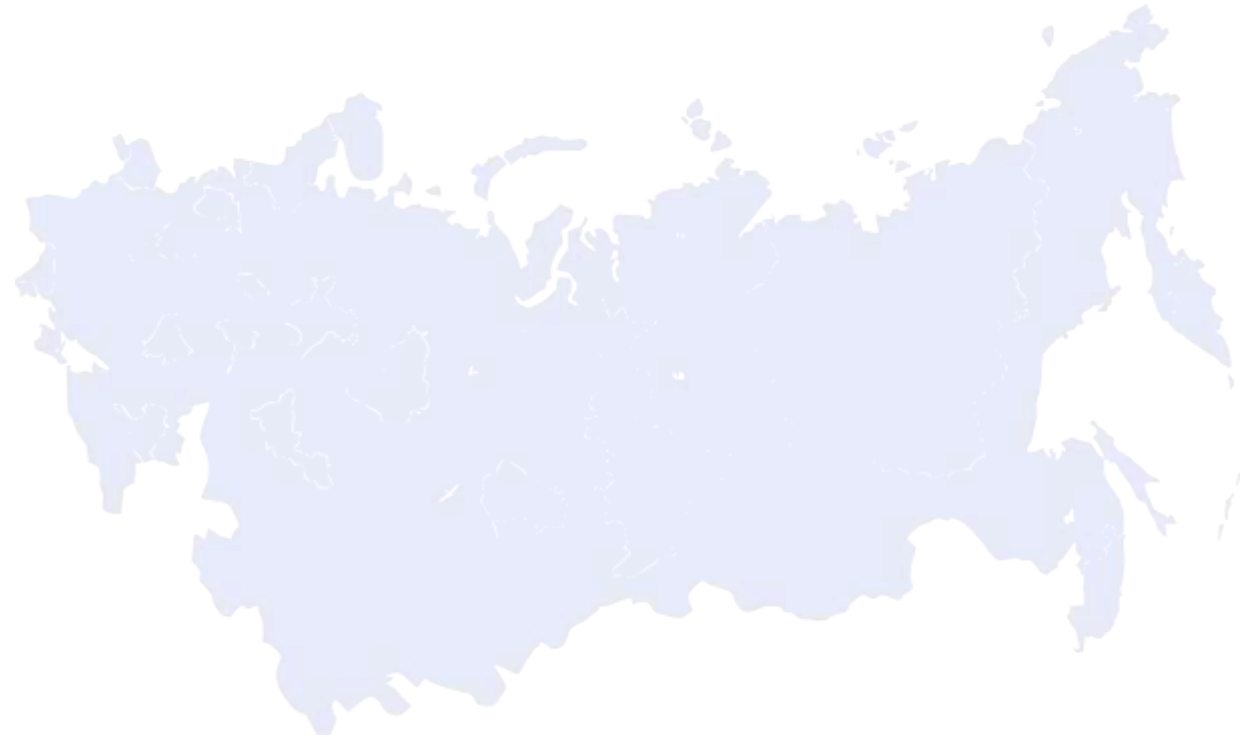
- Bishkek

## UKRAINE

- Kiyv

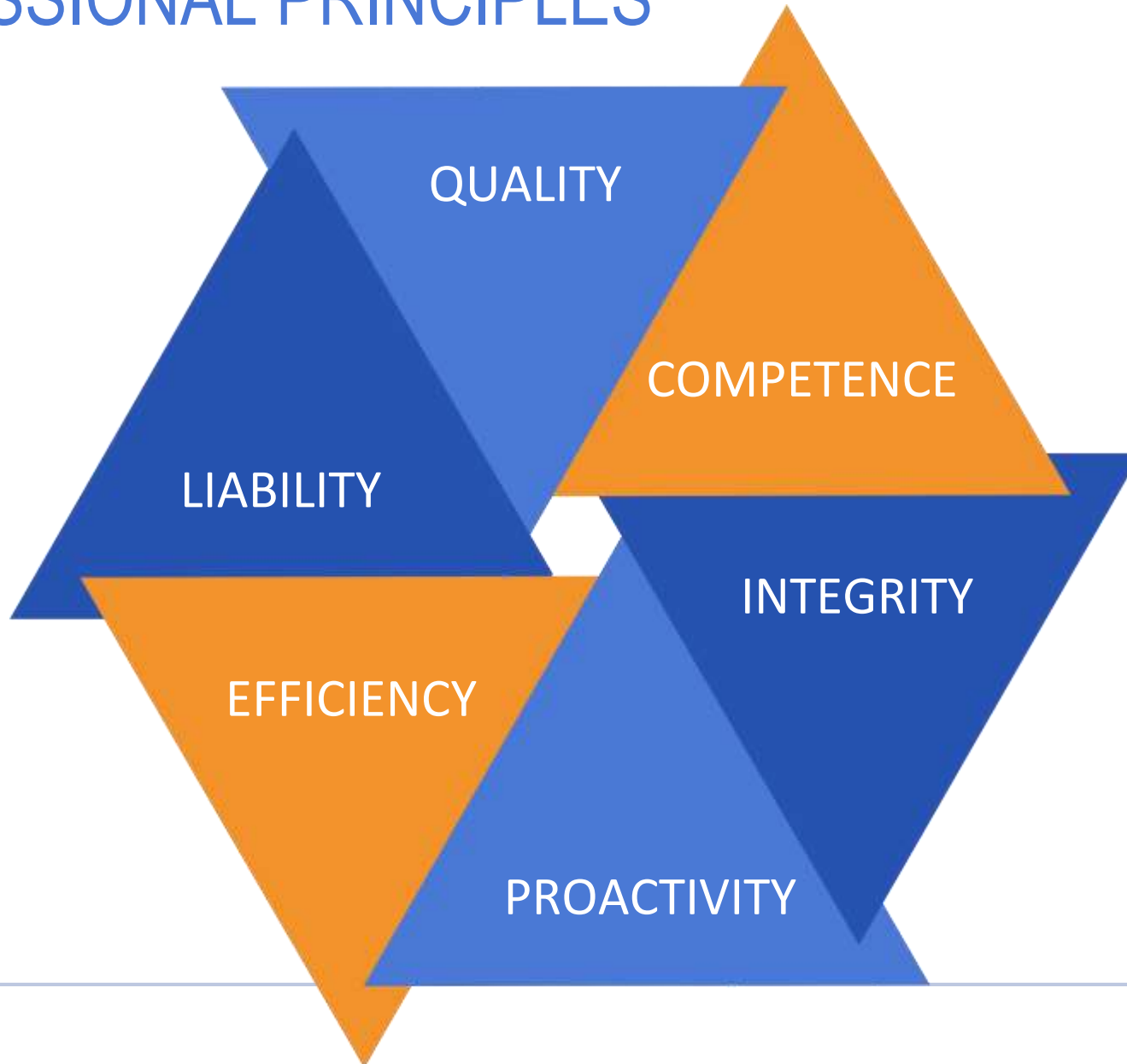
## UAE

- Dubai



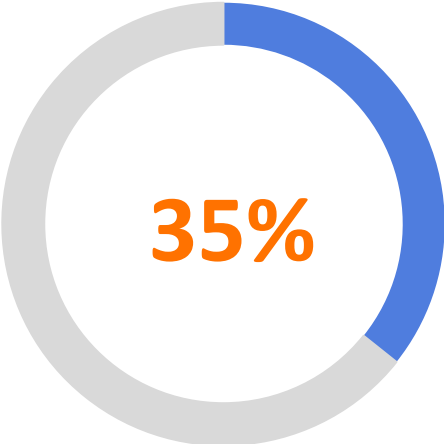
# OUR PROFESSIONAL PRINCIPLES

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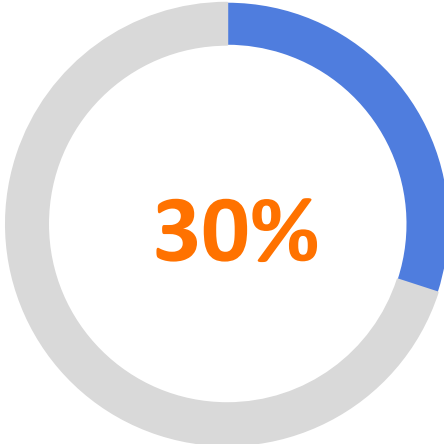


# FIRM'S SHARE\* ON THE RUSSIAN MARKET IN 2024

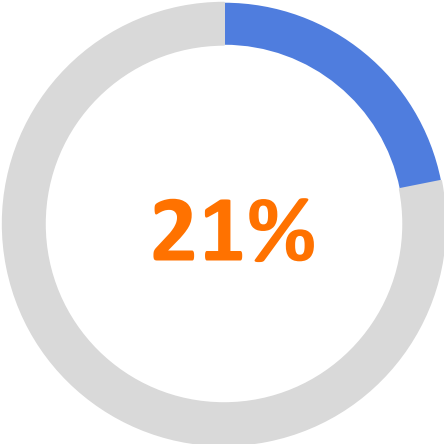
\*New IP cases of foreign applicants



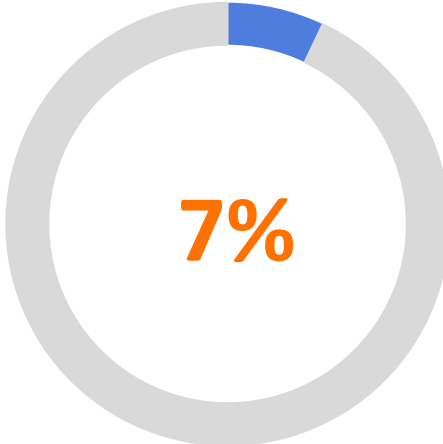
RU PATENT APPLICATIONS



EURASIAN PATENT APPLICATIONS



RU DESIGN APPLICATIONS

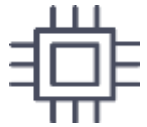


RU TRADEMARK APPLICATIONS



# NEW CASES\* OF THE FIRM ON THE RUSSIAN MARKET IN 2024

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**2891**

applications for inventions  
and utility models



**94**

Cases in common and commercial  
courts, IP court and Supreme court



**1716**

applications for trademarks



**33**

Licensing, franchising, assignments  
and security agreements



**385**

applications for designs

\*Foreign and national clients

# PROJECTS

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**GORODISSKY** IP SECURITY

**GORODISSKY** IP MOBILE

**GORODISSKY** IP PATADMIN

**GORODISSKY** *Art Law*

**GORODISSKY**  
INTELLECTUAL PROPERTY TMT

**GORODISSKY** IP SCHOOL

**GORODISSKY** YIP

# OUR PUBLICATIONS

## Comparing the protection of selection achievements in Russia, Ukraine, and Kazakhstan

PROTECTION OF SELECTION ACHIEVEMENTS



Software is not to be pirated in Russia  
Gorodissky & Partners | Tech, Data, Telecoms & Media - Russia

On 4 March 2022, the Enforcement Publishing House published an article which stated that the Russian authorities are urgently preparing measures to support the necessary due to ongoing sanctions process. The article suggested that such measures could be the abolition of criminal and administrative law liability for violation of the law.

This suggestion has caused concern as indicated that it would have adverse effects on the IT industry.

Whether IT associations pointed out its have to pay for diversity IT services, are familiar to users?



# GORODISSKY

## INTELLECTUAL PROPERTY TMT

### ventures of extension

Vladimir Birtulin, Partner and Co-Head, Partner at Gorodissky & Partners, Russia  
gorodissky.com

Aspects of pharmaceuticals. The patent medicine should be prescribed for specific diseases. Another one is that it is, as a rule, the subject of a medicinal product and made from a natural product and made from a natural product, clinical trials, and with the health ministry or other government bodies. This multi-staged procedure gave birth to extending patents directed to pharmaceuticals in 25 years in many jurisdictions.

Management Co. (Gardel). The patent's validity dates back to June 24, 1996. The patent owner filed a request for an extension before January 1, 2013, a key factor in this situation, which will be discussed below.

The plaintiff based his claim on the assertion that patent No. 2249726 was not extended for the invention (compounds) corresponding to the medicine Erlotinib (Erlotinib) - active agent of the medicinal product Erlotinib, registered in Russia but for a multitude of other compounds covered by the general formula of independent claim 1 of the patent which is extended to Erlotinib, i.e. compounds which are not active ingredients of the registered product. Besides, he claimed that the patent owner had known in advance that not all inventions of the group were related to Erlotinib and that the sale of the active agent of the product Erlotinib (Erlotinib) was not disclosed in the patent. Besides, the plaintiff also stated that the specification of patent No. 2249726 did not confirm the therapeutic indications of the invention identical to that indicated in the label for the product Erlotinib.

"He claimed that the patent owner had known in advance that not all inventions of the group were related to Erlotinib"



Lawyer at Gorodissky & Partners, delves into the consequences of exploiting patents without permission and examines the application of competition law in 11 cases.

Commented Art. 14.22 of the Russian Code of Administrative Offences.

The mentioned items are also applied for unauthorised use of trademarks and copyrights. Therefore, the civil law stipulated by the court in unfair competition cases related to the illegal use of trademarks and copyrights is also applicable in unfair competition cases associated with the unlawful use of patents and vice versa.

The Russian court law stipulates when extension which circumstances the said sanctions can be imposed.



Written by Vladimir Birtulin, Partner, Gorodissky & Partners



## ロシアでのビジネス中止後のブランド管理



この過去、欧米企業には、市場撤退からロシアでのブランド管理のビジネス機会を再検討する動きが見られる。これはロシアでのビジネスの急激な縮小、損失を減らすための企業もあつた。このような状況に際して、一部の企業は、その目的を特許、商標ブランドやその他の知的財産権を、そのブランドの価値の増進と、自分たちの市場で維持しようとしている。他は、機会によってこれらの権利が侵害される場合、自らや市場を再評価し、損害を減らすよう努めるかもしれない。

ブランドマネジメントには、2022年2月開始から4月にかけて、登録された商標と同一または類似する商標をロシアで登録 (Suzhakov) 1000件以上登録しており、この数は今後増加する可能性がある。もちろん、商標の権利を行使し、侵害者に対処する必要がある。権利は市場の需要と市場を維持するための重要な要素である。その際、登録されたすべての商標が、市場全体の需要と対応するわけではない。登録の目的には、市場全体の需要と対応するわけではない。登録の目的には、市場全体の需要と対応するわけではない。

また、登録人自身が前の意図で取り下げたこともある。例えば、マクドナルドがロシアでの事業撤退を決定した際、新設の商標を権利と登録するマクドナルドブランドの商標も、登録された商標の権利も取り下げた。



### NEW THREATS FOR TRADEMARKS IN RUSSIA

## Back up your brand: dealing with new threats for trademarks in Russia

Eugeny Alexandrov and Alexey Kratiuk of Gorodissky & Partners discuss the impact of current geopolitical tensions on brand protection and valuable insights into maintaining IP ownership.

Following the current political situation and the sanctions imposed on Russia, some Western companies decided to consider trademark and other business activities in Russia and to assess cases associated with trademark, including others, or suspension of trademark in Russia starting from 2022. Subsequent to the current, some trademark holders, acting in bad faith, are attempting to register famous brands or their variations in their own name without the consent of the real owners of these brands. In some cases, bad faith applicants are filed for their trademark with an IP right MP 2022/24579, now withdrawn, and Figure 3 (Appl. No. 2022/27452), now withdrawn.

In others, applications are filed for the creation of variation of famous brands featuring high levels of similarity with a registered trademark. In some cases, bad faith applicants are filed for their trademark with an IP right MP 2022/24579, now withdrawn, and Figure 3 (Appl. No. 2022/27452), now withdrawn.



### Shocked readers: IP in Russia in the news media



Most faith applicants without the consent usually rejected by the Russian brand. One the last time, from lawyers filed a different trademark suit of filing an application to register famous brands or their variations in their own name without the consent of the real owners of these brands. In some cases, bad faith applicants are filed for their trademark with an IP right MP 2022/24579, now withdrawn, and Figure 3 (Appl. No. 2022/27452), now withdrawn.

In others, applications are filed for the creation of variation of famous brands featuring high levels of similarity with a registered trademark. In some cases, bad faith applicants are filed for their trademark with an IP right MP 2022/24579, now withdrawn, and Figure 3 (Appl. No. 2022/27452), now withdrawn.

One may wonder where that information comes from. Unexpectedly, Russian journalists came to help. Kommersant, a popular newspaper, ran an article under a snazzy title: "Foreign licensees have been deprived of tools to fight counterfeiting." The same day, CNews, an internet media, shocked the readers with the declaration: "Foreign owners lost opportunities to fight piracy in Russia. A British company left out of the race." These authoritative sources may trigger another wave of strong sentiments against Russia.

So what really happened? Carte Blanche Greetings Ltd. (the Company) sued three individual entrepreneurs for infringement of copyright for a character from the Blue Nose Friends Characters series. The court of first instance satisfied the claims but reduced compensation for infringement. The court of appeal upheld the judgments but reduced compensation for infringement. The court upheld the judgment of the appeal court. The infringers appealed the judgment at the Supreme Court (SC) and asked it to cancel the decisions of lower courts.

The Collegium of Economic Disputes of SC concluded that the judgment should be canceled. Now, the interesting part of the story begins. The court did not say that there was no infringement. The question is who will intervene as a plaintiff?

The court explained that in cases of copyright infringement, the plaintiff must prove their right to the claim. The plaintiff may be the author or the assignee. The first instance court proceeded from the

# REGULAR PUBLICATIONS

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**BACK-UP YOUR BRAND: DEALING WITH NEW THREATS FOR TRADEMARKS IN RUSSIA**, page 3

**OVERVIEW OF NEWS IN THE FIELD OF INTELLECTUAL PROPERTY**, page 4

**ITEM NEWS**, page 15

**GORODISSKY**  
INTELLECTUAL PROPERTY T.M.

МОСКВА / ST. PETERSBURG / RUSSIA / WASHINGTON  
SHANGHAI / N. HONGKONG / HONGKONG / GENEVE  
TEL AVIV / PARIS / BRUXELLES / PRAGA / LISABONA  
LIMA / NEW YORK / MIAMI / SAN FRANCISCO

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# G-NEWS

INFORMATION BULLETIN

#157

03.2024

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*Merry Christmas and Happy New Year!*

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## BACK-UP YOUR BRAND: DEALING WITH NEW THREATS FOR TRADEMARKS IN RUSSIA

Following the current political situations and the sanctions imposed on Russia some Western companies decided to re-consider their trading and other business activities in Russia, and in some cases announced total termination, winding down or suspension of business in Russia starting from 2022.

**Igoriy Alexandrov**  
Ph.D., Partner, Trademark & Design Attorney,  
Head of Legal, Trademark & Design Practice

**Aleksy Kripach**  
Partner, Trademark & Design Attorney,  
Head of Trademark Departments




PHOTO: PHOTOS.COM, SHUTTERSTOCK

4/5

## OVERVIEW OF NEWS IN THE FIELD OF INTELLECTUAL PROPERTY (RUSSIA, CIS)

(March to August 2024)

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DISPUTES ON VIOLATION OF EXCLUSIVE RIGHTS	11
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### LAWS AND DRAFT LAWS

AMENDMENTS WERE MADE TO ARTICLE 180 OF THE CRIMINAL CODE OF THE RUSSIAN FEDERATION ON LIABILITY FOR THE ILLEGAL USE OF MEANS OF INDIVIDUALIZATION (FEDERAL LAW OF 06.04.2024 N° 79-FZ)

A law was adopted aimed at further harmonization of criminal legislation and liberalization of criminal liability for crimes of an economic nature in order to exclude excessive criminal law impact on entrepreneurs — Federal Law of 06.04.2024 N° 79-FZ “On Amendments to the Criminal Code of the Russian Federation and the Criminal Procedure Code of the Russian Federation” (Article 180 of the Criminal Code of the Russian Federation).

In particular, amendments were made to Article 180 of the Criminal Code of the Russian Federation on liability for the illegal use of means of individualization:

- the amount of damages that serves as the basis for criminal liability was increased from 250 thousand rubles to 400 thousand rubles;

- the multiplicity of the violation creates a separate independent ground for criminal liability;
- Part two of Article 180, which provided for criminal liability for the illegal use of warning labeling in relation to unregistered trademark or appellation of origin, was excluded;
- a lower threshold for the fine was established, calculated as the amount of the convicted person's income (“in the amount of wages or other income for a period of six to ten years”). The law entered into force on April 17, 2024.

THE THRESHOLD FOR LARGE AND ESPECIALLY LARGE SCALE ILLEGAL ACT, FOR WHICH LIABILITY IS PROVIDED UNDER ARTICLE 146 OF THE CRIMINAL CODE OF THE RUSSIAN FEDERATION, HAS BEEN INCREASED (FEDERAL LAW OF 12.06.2024 N° 123-FZ)

The threshold for a large or especially large illegal act, for which liability is provided under Article 146 of the Criminal Code of the Russian Federation, has been increased to the cost of counterfeit copies of works or rights to use in the amount of 500 thousand rubles (large amount) and up to 2 million rubles (especially large amount).

# FIRM'S CONFERENCES, SEMINARS AND WEBINARS

January 2025



World Intellectual Property Forum, Dubai

October 2024



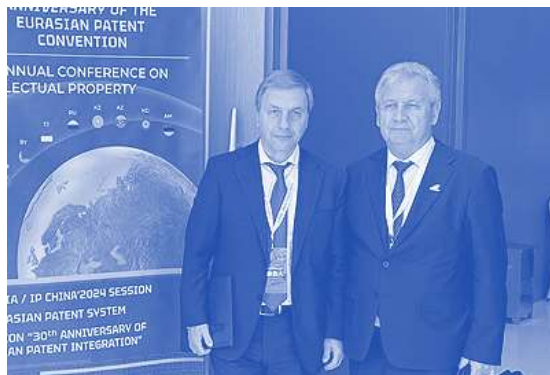
Webinar "Trademark Non-use cancellation Actions in Russia – Regulations, Court Practice, Trends", Moscow

October 2024



The 2024 BRICS IP Forum, Seoul

September 2024



International Conference "IP Eurasia/China'24: Innovation Space", Beijing

February 2024



Seminar «Some Aspects of Obtaining and Enforcement of IP Rights for Successful Business Development», Astana

January 2024



Global Intellectual Property Convention 2024, Delhi

# FIRM'S MEMBERSHIP



# FIRM RANKINGS

## INTERNATIONAL RANKINGS

- Top positions in:



## NATIONAL RANKINGS

- Among the best in nominations "Intellectual Property (Consulting)", "Intellectual Property (Litigation)", "Intellectual Property (Registration)" "Personal Data" & "TMT"
- Among the "Best Legal Practices" by Kommersant Publishing House in the nominations "IP Litigation" and "IP Consulting"
- Leader in electronic filings with the Russian PTO in 2015-2023 (Statistics report, Russian PTO)



# INDIVIDUAL RANKINGS



- 8 practitioners are among the best in Russia in nominations: IP consulting, IP litigation, IP registration and TMT



- Valery Medvedev, Managing partner got the nomination «Intellectual Property»
- Evgeny Alexandrov, Partner, Head of Legal, Trademark & Design Practice - nomination «Healthcare and Pharmaceuticals»



- In the nomination "Intellectual Property" are noted:
- Evgeny Alexandrov, Ph.D., Partner, Head of Legal, Trademark & Design Practice, Sergey Medvedev, Ph.D., LL.M., Partner and Sergey Vasiliev, Ph.D., Partner

## Best Lawyers

- 18 IP attorneys and lawyers of Gorodissky & Partners were included in The Best Lawyers™ on «Intellectual Property» & «Litigation»
- Sergey Medvedev, Ph.D., LL.M., Partner, was named "Lawyer of The Year" on Privacy and Data Security Law in Russia



- Valery Medvedev, Vladimir Biriulin, Elena Nazina, Valentin Kirillov and Mikhail Samsonov are among the best on patents;
- Evgeny Alexandrov, Aleksey Kratiuk, Natalia Nikolaeva, Ilya Goryachev and Stanislav Rumyantsev on trademarks and copyright



- Yuri Kuznetsov, Partner, Russian Patent Attorney, Eurasian Patent & Design Attorney, Head of Patent Practice is included in the 2022 edition of the IAM Global Leaders.



- Stanislav Rumyantsev, Senior Lawyer is named in Who's Who Legal Data



# FIRM CERTIFICATIONS

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- ISO 9001: 2015 Certified (TÜV AUSTRIA CERT GMBH)
- Successfully passed company sustainability rating audit by **EcoVadis**



# FIRM'S HEADQUATERS

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