



FICPI SWEDEN

FICPI SWEDEN is the Swedish part of FICPI which is an international organization, with members from more than 80 countries. FICPI works for patent and trademark attorneys in the free profession, with issues relating to their daily work as well as IP law issues on a global scale.

The membership in FICPI SWEDEN, which is prerequisite for membership in FICPI International, provides a global network of IP professionals, and a possibility to understand and participate in the development of IP law throughout the world.

FICPI SWEDEN runs regular seminars in Sweden focusing on current issues and trends in IP. The speakers are normally FICPI members from other countries of the world. The seminars are open for all, but FICPI members enjoy a reduced registration fee.



Seminar on IP practice in Russia and the Baltic States
Stockholm Thursday 7 March 2013.



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Venue:

Westmanska Palatset, Holländargatan 17, Stockholm, Sweden (see www.westmanskapalatset.se)

Hotels:

Please book a hotel room directly with the hotel. There are several hotels nearby, and also near the Arlanda Express Railway station, in different price categories:

Frey's Hotel, Radisson Blue Royal Viking Hotel, Radisson Blue Waterfront Hotel, Rica Hotel, Hotel Terminus, Best Western Hotel Bentleys, Nordic Sea Hotel, Clarion Hotel Sign, Tegnerlunden, Queen's Hotel, Kungsbron Hotel, Scandic Norra Bantorget.

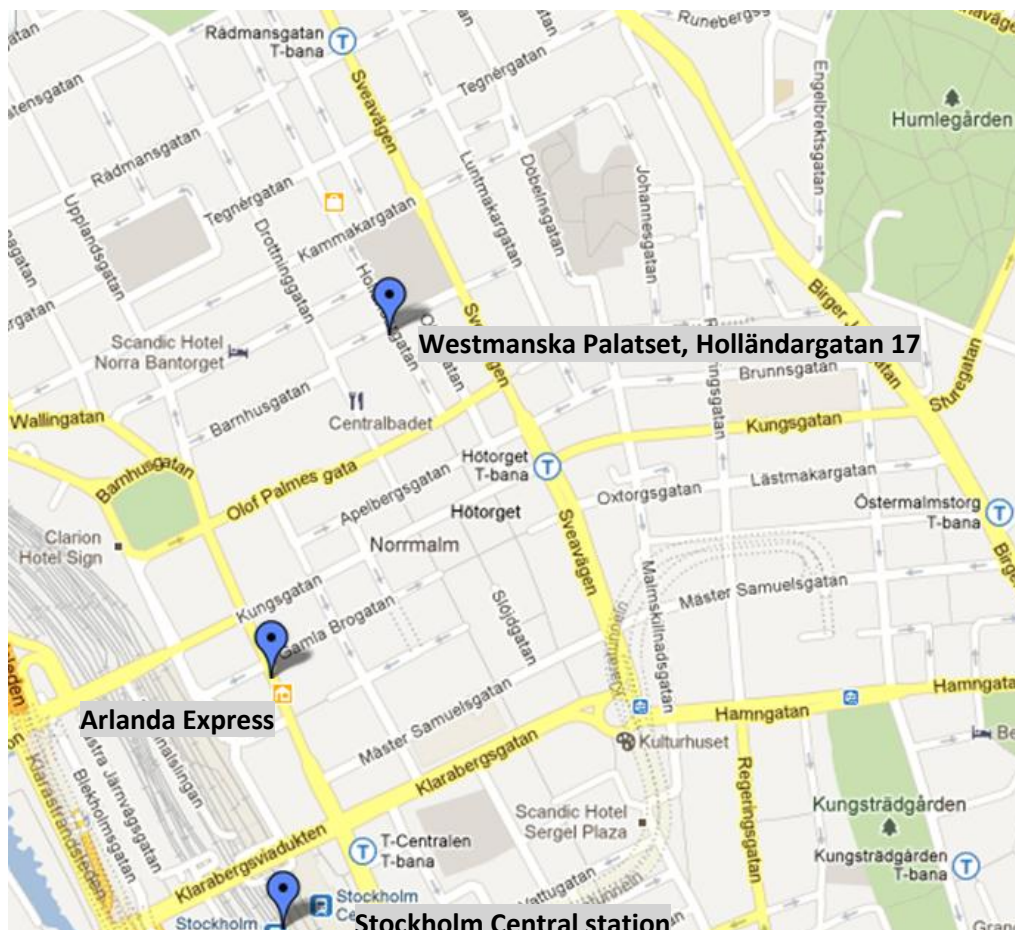
See www.booking.com (hotel at Norrmalm, Stockholm)

Registration:

See our web page www.ficpiseden.se

Price:

3000 SEK (2000 SEK for FICPI members), including lunch. Additional charge for informal dinner 500 SEK. An invoice will be sent to you after registration. We expect payment within 10 days.



Group meetings:

There will be Group Meetings for the Russian and Baltic Groups, respectively, at "Stallmästargården" on 8 March, 2013 (by invitation only).



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DRAFT PROGRAM

For the Russian Baltic IP Seminar, Thursday 7 March 2013

09.30 - 09.40 **Welcome address and introduction to topics**
Lennart Karlström, President, FICPI Sweden
Jan Modin, Moderator, Program Manager, FICPI Sweden

09.40 – 10.00 Swedish Business Activities in the Region

Mantas Zalatorius, Area Coordinator, Central and Eastern Europe,
Swedish Trade Council, Vilnius, Lithuania

“Swedish Business Activities in Russia and the Baltic States”

10.00 – 11.10 IP in Russia

Valery Medvedev, Managing Partner, Gorodissky & Partners, Moscow, Russia

“Patent protection in Russia”

Russian industrial structure underwent profound changes in favor of oil and gas production. Engineering industries represent a promising market for foreign high technologies and investments. Current IP system in Russia is harmonized with TRIPs. The Russian PTO checks up industrial applicability and inventive level in a different manner than other jurisdictions. Importance of determining the correct objective of invention is high. Means and methods of carrying out invention should disclose achieving the invention objective. How can you to argue against a mechanistic approach to determining an inventive level? The technical result of the invention is a strong weapon against a lack of inventiveness rejection. Substantial after final amendments may be suggested only by the Chamber of Patent Disputes. Voluntary filed divisional application is a “continuation application” and one more chance to traverse an inventive level final rejection.

Mikhail Mozhaisky, Managing Partner, Mozhaisky IP, St Petersburg, Russia

“Industrial Designs in Russia”

A design patent application shall include representations (photographs or drawings) of design, along with its written description and list of “essential features”. The scope of protection under a design patent is defined by the essential features as seen in the representations and recited in the list. Thus, design protection in Russia is rather specific as compared to most countries and Community Design, and has its pros and cons. On one hand, the applicant can recite the features he considers essential, instead of marking them in the pictures, e.g. by dashed lines. On the other hand, drafting a design patent application needs much time and effort, while courts tend to consider mostly lists of essential features to the detriment of representations. Recently, amendments to the Russian Civil Code were submitted to the State Duma (Parliament), omitting the requirement for a list of essential features in a design patent application.

Anna Reznichenko, Head of Trademark Department, Liaponov & Co, St Petersburg, Russia.

“Trademarks in Russia”



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The present trademark system in Russia is quite different from the one in Europe. Registration of the marks, which are common in Europe, for example, color marks, certification marks, etc. comes out to be a challenge for the applicant. What are the ways to have such trademarks protected in Russia? Which documents shall the applicant be ready to present? Another challenging aspect is protection of the marks in Latin, which represent meaningful words and phrases (slogans). Translation of such marks is not covered by registration in Latin characters. What is the way out? Absolute grounds for refusal of trademark registration are the ones, which are quite difficult to overcome. The latest practice of the Russian PTO concerning absolute grounds for refusal of a trademark registration is analyzed, the most interesting cases are presented as examples.

Finally, is there a practical protection of a registered trademark? The procedure of Customs protection of trademarks is described. The Customs IP Register of the Russian Federation, the Customs IP Register of the Customs Union of Russia, Belarus and Kazakhstan are compared.

11.10 – 11.30 Short break

11.30 – 12.00 **The Eurasian Patent System**

Vladimir Rybakov, senior partner of IP Law Firm ARS-Patent, St Petersburg, Russia

“The Eurasian Patent System”

Today, globalization and International co-operation are main trends. The European Parliament has at last given a Green Light to unitary patent protection in Europe. The Eurasian Patent Office (EAPO) is fully operative from 01.01.1996 and covers 8 countries of post-soviet territory. Nevertheless, the Eurasian Patent Convention is not very well known in the world. How is EAPO organized and how is it developing? How does the Eurasian patent practice compare with the Russian and European ones? Which advantages could be achieved when using EAPO and how can you do it properly? These are the challenges for the patent professionals being active on the emerging markets of the post-soviet countries.

12.00 – 12.30 **Information on FICPI**

Julian Crump, FICPI Secretary General, Managing Member of London office of the US based law firm, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

“What can FICPI do for its members, and what can each member do for FICPI?”

What is FICPI and what does it do for its members? How does FICPI differ from other international associations in the field of IP such as AIPPI, APAA, etc.? What are FICPI's objectives and what is it doing to meet them? This session will aim to inform delegates about the vital role FICPI performs on behalf of the IP profession in private practice, and how active participation in FICPI's activities can benefit individual practitioners.

12.30 – 13.30 Lunch

13.30 – 14.30 **IP in Estonia**



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Margus Sarap, Partner, Sarap & Partners Patent Agency, Tartu, Estonia

“Overview of Estonian industry and IP”

Economic situation in Estonia, short overview of business and industry structure, Swedish investments in Estonia, IP statistics, local statistics, IP of Swedish companies in Estonia, future perspectives of IP, codification of IP laws, short overview.

Jaak Ostrat, Partner, Patent Agency LASVET, Tallinn, Estonia

“Patents and Utility Models in Estonia”

Patents: Grace period 1 year, contesting of a patent at the Board of Appeal and in Court, possible discords, contesting of national part of a validated European patent.

Utility Models: Grace period 1 year, transferring a Patent application into a Utility Model application., pros and cons, Inventive step for a Utility Model, Search report to a granted Utility Model registration, its legal status, contesting of a granted Utility Model registration. Utility Model - used or not used?

National Part of a European patent: Full translation required, the term for lodging, the legal status of an Estonian translation.

Kalev Käosaar, Partner, Patent Agency Käosaar & Co, Tallin, Estonia

“Domain name and trademark protection in Estonia”

On 5 July 2010, new domain rules came into force in Estonia, resulting in the .ee top-level domains becoming more widely available — the one-name limit in the number of registered domains was abolished, and also foreign legal persons were allowed to register .ee domains in their name. How has the practice changed and what should be noticed when registering a domain name in Estonia? What should be taken into consideration when applying for trademark protection in Estonia?

14.30 – 15.30 **IP in Latvia**

Valentia Sergejeva, Partner, ST & P, Strahlberg & Partners, Riga, Latvia

“Overview of Latvian economy and IP Practice”

Forecasts of important indicators for the year 2012 and Economic Development: Latvian Ministry of Finance lowered its forecast for GDP growth in Latvia in 2012, from 2.5% to 2%.

Priority Sectors: The most significant part of Latvia's GDP, about 70%, is the services sector.

The share of manufacturing in the state economy is 14.1% of GDP, trade - 16.9%, transport and storage - 13%, construction industry - 6.1%. Participation of Russia in the WTO has both negative and positive impact on the national economy of Latvia. Latvia has a good opportunity to introduce the euro in 2014, as Latvia is on track to meet the Maastricht criteria. The presentation also covers an updated status of the Trademark legislation and practice, especially on the status of Opposition and Appeals procedure/ electronic communications with the Patent Office.

Jevgenijs Fortuna, FORAL Patent Law Offices, Riga, Latvia



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“Overview of patent prosecution and litigation system in Latvia”

International patent law and practice harmonization has been an issue for many years. Despite some harmonization attempts many EU member states still have very different patent law and practice. This presentation will provide a general overview of Latvian patent system, including important statistics. The main similarities and differences between Latvian Patent law and the European Patent Convention will be highlighted. Also brief overview of patent litigation in Latvia will be given.

Olga Vabatova, Patent Attorney, Agency TRIA ROBIT, Riga, Latvia

“Latvian IP in business”

The inventors and businessmen in Latvia are far from mutual understanding yet. The former believe that they are able to make their IP product marketable themselves, whereas the latter are usually in the dark about promising inventions. What is the way the Latvian IP becomes part to the business? What problems do confront both the inventors and the businessmen? In what way is the IP disposed of in Latvia? Information concerning businesses built up, license agreements entered into, and IP rights disposed of shall illuminate these questions. What opportunities to benefit from IP do the Latvian law and local business realities offer? What role do the Latvian and European authorities play with IP-intensive businesses? This presentation is aimed to give the audience a general picture of the interaction between the Latvian inventors and businessmen as well as to throw a sidelight upon how can the Latvian IP specialists contribute to this interaction.

15.30 – 15.45 Coffee/Tea break

15.45 – 16.45 **IP in Lithuania**

Reda Žaboliene, Attorney at law, METIDA Law firm of Reda Zaboliene, Vilnius, Lithuania

“Overview of Industry structure and IP practise in Lithuania”

Why should Lithuania be an attractive country? An overview is given of the activity of Swedish applicants in Lithuania. IP laws and practice: the most important aspects for the applicants. Patent law and practice: recent developments in law and compatibility with international laws, changes in fees. Design law and practice: recent developments in law and compatibility with international laws, changes in fees. Trademark law and practice: recent developments in law and compatibility with international laws, changes in fees, class headings – practice of national office after IP translator case.

Dr. Jacekas Antulis, METIDA Law firm of Reda Zaboliene, Vilnius, Lithuania

“Overview of patent situation in Lithuania”

Patent Law and Practice (new Patent law in Lithuania): Further processing of patent application; Simplified process of filing; Changed licensing conditions; Introduction of several new official fees; Additional fee for EP claims is applied in excess of 15 claims. Lithuanian government support: Special support program for inventors / applicants; Structural funds and support for scientific institutions, support measures.



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Commercialization related with IP protection: National applications in Lithuania and Sweden; EP validations in Lithuania and Sweden; The protection of market in Lithuania and Sweden by the domestic and foreign companies; Tendencies of the IP protection in Lithuania; The benefits of Lithuania for people from Sweden.

Edita Ivanauskienė, Attorney at Law, Law firm of Edita Ivanauskienė, Dedeliskes, Lithuania

“Defending Trademark and Patent Rights in Lithuania, latest Case Law Decisions”

On 8 June 2006 the changes of Trademark and Patent laws implementing the Enforcement Directive took effect in Lithuania. How do these affect the enforcement picture of trademark and patent rights in Lithuania? Have they made the rights enforcement speedier and more efficient? What enforcement measures are available and when? How long may it take to enforce the trademark and patent rights when civil, criminal, administrative or customs measures are applied in Lithuania? All these questions will be answered in the presentation by providing an overview of the enforcement measures available to defend trademark and patent rights in Lithuania and by presenting the latest case law of Lithuania regarding application of provisional protection measures (interim measures), awarding damages, parallel importation, application of administrative and criminal sanctions.

16.45 – 17.15 **European Unitary Patent Court**

Håkan Borgenhäll, Attorney at Law, Head of Lindahl IP Group in Stockholm, Sweden

“Current Status of a possible Regional Division of the future Unitary Patent Court, including the Baltic States and some of the Nordic States”

17.15 End of seminar

19.00 – 22.00 Informal Dinner for seminar attendees, optional

Russian Baltic FICPI Get Together in Stockholm, Friday 8 March 2013 (the day after FICPI Sweden Seminar)

Venue: Stallmästargården, Stockholm

09.00 – 10.20 Baltic Group meeting with Julian Crump, FICPI Secretary General

09.00 – 10.20 Russian Group meeting (separate from Baltic Group meeting)

10.20 – 10.40 Coffee Break

10.40 – 12.00 Continued Russian Group meeting, with Julian Crump

10.40 – 12.00 Continued Baltic Group meeting

12.15 – 13.30 Lunch