



# The Rospatent reports reduction of examination time for patents and utility models applications

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📖 INTELLECTUAL PROPERTY, RUSSIA

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**T**he Rospatent reported that the average time for the examination of patent applications in 2020 was less than 4 months. This is much shorter than the 6 months average examination time registered in 2019 during the same period January to August.

The examination time of applications for utility models was also reduced by more than 30 per cent and was only 1,05 month, in comparison to 1,51 months in 2019.

The Rospatent advised that the examination time of patent and utility model applications is related to the access to published patent and scientific information.

The Head of the Rospatent admitted that the time lag between the online publication of the notice of filing of an

application and the carrying out of the necessary search for the assessment of patentability creates the risk of lack of critical information in the databases utilized for searches.

At the same time, the Rospatent reminded that there is a right to challenge and seek the cancellation of granted patents which are inconsistent with patentability criteria (subparagraph 1 of paragraph 1 of article 1398 of the Civil Code of the Russian Federation).

The patent may be challenged on the basis of information disclosed on the patent application date but not published and available in online databases on that date.

The cancellation of the patent in this case is possible at the request of the holder of earlier patent rights.





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