

Law of Ukraine

"On Protection of Rights to Inventions and Utility Models"

Date Entry into Force:
July 1, 1994

The Law was stated in new wording according to the Law of Ukraine N 1771-III of June 1, 2000.

According to this Law patents (declarative patents) for inventions and utility models, secret inventions and secret utility models are issued in Ukraine.

According to the Law, object of invention can be:

- product (device, substance, culture of a microorganism, culture of cells of plants and animals, etc);
- process (method);
- new application of the already known product or process.

A utility model may be a product/device embodying a utility model.

Invention meets patentability requirements if:

- it is new;
- it has an inventive standard;
- it is industrially applicable.

Utility model meets patentability requirements if:

- it is new;
- it is industrially applicable.

Patent is a protection document signifying priority, authorship and ownership right to invention.

Foreign persons and persons without citizenship have equal rights to citizens of Ukraine envisaged by this Law, the international treaties of Ukraine, consent to obligation of which is provided by the Verkhovna Rada of Ukraine.

Foreign persons and persons without citizenship, who have residence or domicile outside Ukraine, shall exercise their rights by means of representatives for intellectual property issues (patent agents).

Rights, resulting from the patent, become effective from the date of publishing information on its issue. Annual fee for maintaining validity of the patent is paid for each year of its duration, beginning from the date of submitting the application. Validity of the patent is terminated in case of failure to pay the annual fee duly in time.

The law determines the list of cases, when the patent can be recognized by court as totally or partially invalid.

Summary is prepared by Yaroslav the Wise Institute of Legal Information.

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