



LAW OF UKRAINE

“On the Protection of Interests of Persons in the Sphere of Intellectual Property during the Martial Law in connection with the Military Aggression of the Russian Federation against Ukraine”

In connection with the military aggression of the Russian Federation against Ukraine and the introduction of martial law in Ukraine, the Verkhovna Rada of Ukraine **decides**:

1. to establish that:

1) from the day of imposition of the legal regime of martial law in Ukraine, imposed in connection with the military aggression of the Russian Federation against Ukraine, the length of terms for taking actions related to the protection of intellectual property rights shall be suspended, as well as procedure periods for the acquisition of these rights, determined by the Laws of Ukraine “On the Protection of Rights to Industrial Designs” (the Official Journal of the Verkhovna Rada of Ukraine, 1994, No. 7, Art. 34 with amendments), “On the Protection of Rights on Marks for Goods and Services” (the Official Journal of the Verkhovna Rada of Ukraine, 1994, No. 7, Art. 36 with amendments), “On the Protection of Rights to Topographies of Semiconductor Products” (the Official Journal of the Verkhovna Rada of Ukraine, 1998, No. 8, Art. 28 with amendments), “On the Protection of Rights to Inventions and Utility Models” (the Official Journal of the Verkhovna Rada of Ukraine, 2000, No. 37, Art. 307 as amended), “On the Legal Protection of Geographical Indications” (the Official Journal of the Verkhovna Rada of Ukraine, 1999, No 32, Art. 267), “On Copyright and Related Rights” (the Official Journal of the Verkhovna Rada of Ukraine, 2001, No. 43, Art. 214 with amendments), “On the Protection of Rights to Plant Varieties” (the Official Journal of the Verkhovna Rada of Ukraine, 2002, No. 23, Art. 163 with amendments), including all terms envisaged by these laws and regulations, in particular but not limited to:

periods for filing an objection against the application or effect of the international registration in Ukraine;

periods for appealing the decision on the application of the National Intellectual Property Authority of Ukraine before the court or the Appeal Chamber;

periods for filing an application for the recognition of rights to invention as invalid;

periods for renovation of missed terms, etc., except the periods envisaged for taking actions by the National Intellectual Property Authority of Ukraine or the central executive authority that ensures the formation of state policy in the sphere of plant varieties rights protection, information necessary for obtaining rights on variety, and except certain cases established by this Law.

From the day following the day of termination or cancellation of martial law, the length of these terms shall be extended taking into account the time elapsed before their suspension.

If the beginning of prolongation period for the trademark certificate, the period of prolongation or maintaining the validity of the economic rights to the intellectual property object falls on the day of introduction of martial law in Ukraine or on any other date during martial law, the appropriate action to prolong the duration of the trademark certificate, to prolong or to maintain the validity of the economic rights to the intellectual property object shall be considered as timely performed by the person, if it has been made not later than 90 days from the day following the day of termination or cancellation of martial law.

Economic rights to intellectual property objects, the validity of which expires on the day of introduction of martial law in Ukraine or during martial law, shall remain valid until the day following the day of termination or cancellation of martial law. From the day following the day of termination or cancellation of martial law, the validity of economic rights to intellectual property objects may be prolonged in accordance with the established procedure, taking into account the peculiarities established by this Law.

The rules of suspension of the length of terms envisaged by this Law shall not entail suspension of the validity of certificates, patents certifying the acquisition of intellectual property rights in accordance with the legislation, as well as the relevant intellectual property rights. During martial law the intellectual property rights established by the legislation continue to be valid and are fully exercised by the right holders;

2) Natural and/or legal persons have the right to submit documents (applications, petitions, objections, responses etc.), the submission of which is stipulated by the Laws of Ukraine “On the Protection of Rights to Industrial Designs” (the Official Journal of the Verkhovna Rada of Ukraine, 1994, No. 7, Art. 34, with amendments), “On the Protection of Rights on Marks for Goods and Services” (the Official Journal of the Verkhovna Rada of Ukraine, 1994, No. 7, Art. 36, with amendments), “On the Protection of Rights to Topographies of Semiconductor Products” (the Official Journal of the Verkhovna Rada of Ukraine, 1998, No. 8, Art. 28, with amendments), “On the Protection of Rights to Inventions and Utility Models” (the Official Journal of the Verkhovna Rada of Ukraine, 2000, No. 37, Art. 307, as amended), “On the Legal Protection of Geographical Indications” (the Official Journal of the Verkhovna Rada of Ukraine, 1999, No 32, Art. 267), “On Copyright and Related Rights” (the Official Journal of the Verkhovna Rada of Ukraine, 2001, No. 43, Art. 214, as amended), “On the Protection of Rights to Plant Varieties” (the Official Journal of the Verkhovna Rada of Ukraine, 2002, No. 23, Art. 163, with amendments) and regulations of the central executive authority that ensures the formation and implementation of the state policy in the intellectual property sphere, not later than 90 days from the day following the day of termination or cancellation of martial law, without payment of fees for renovation, extension or prolongation of the terms stipulated by these laws and by the Order of payment of fees for actions related to the intellectual property rights protection, approved by the Resolution of Cabinet of Ministers of Ukraine No 1716 of December 23, 2004 (as amended).

2. This Law shall enter into force on the day following the day of its publication.

President of Ukraine

V. ZELENSKY

Kyiv, April 1, 2022

No 2174-IX