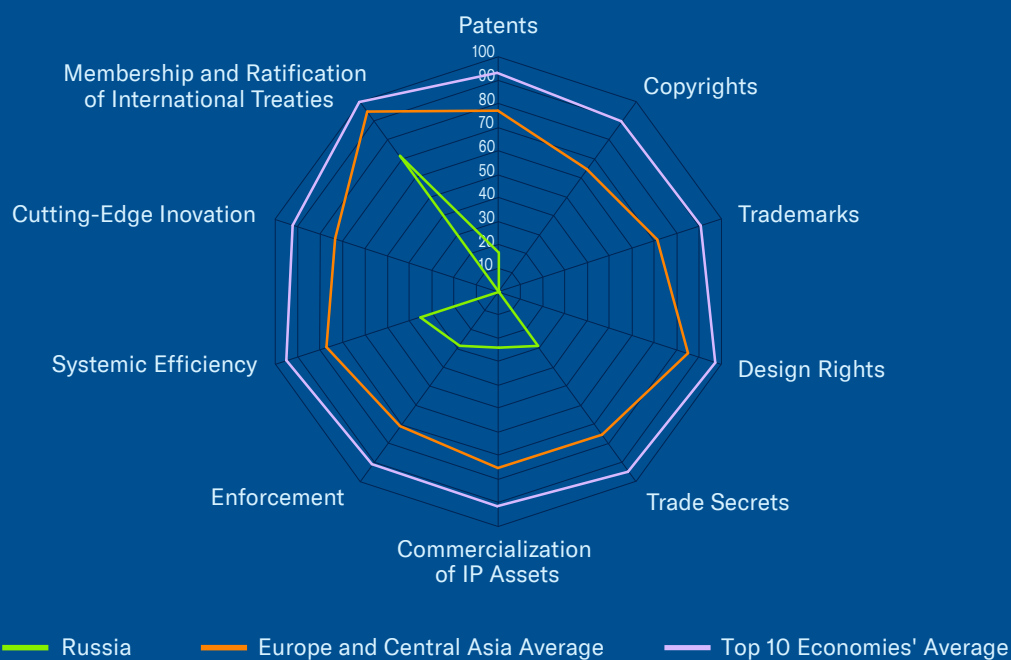




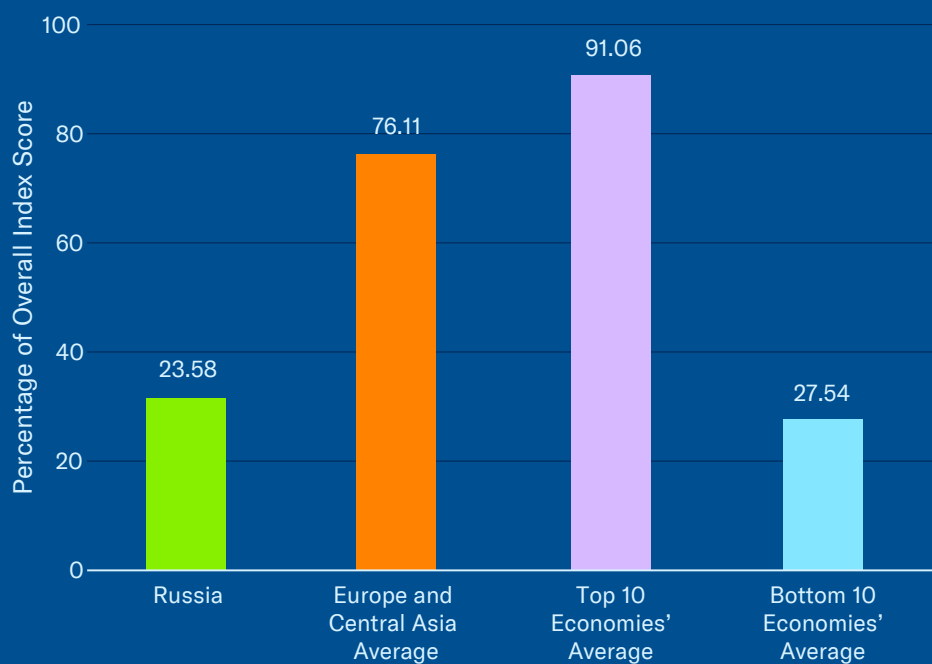
Russia

Rank
54/55

Category Scores



Overall Score in Comparison





Key Areas of Strength

- ROSPATENT has in place numerous PPHs and is a full participant in the GPPH
- Participant in international IP treaties benchmarked in the Index

Key Areas of Weakness

- No special IP incentives for orphan medicinal product development
- 2022 Federal Laws 46-FZ and 213-FZ nullify existing duly granted IP protection under Civil Code Part IV for all major IP rights covered in the IP Index
- Deep and abiding uncertainty over the extent to which rightsholders will, in practice, at any point in the future be able to register and enforce their IP rights in Russia
- Continued weakening of the life sciences environment through administrative barriers for patentability and term restoration
- Use and threat of compulsory licenses and the overriding of IP rights as public health policy: compulsory license issued in 2020 and new 2021 amendments to Civil Code Part IV broaden existing basis for action
- Administrative and regulatory barriers are in place for licensing activities, including direct government intervention
- Increasingly punitive localization requirements target ICT and the biopharmaceutical sector
- Data localization requirements for technology companies have been in place for a long time and have intensified over the past few years
- For biopharmaceuticals, industrial localization policies have fused together with IP policy and broader health policy on the pricing and procurement of medicines

Percentage of Overall Score: 23.58% • Total Score: 12.50

Spotlight on the National IP Environment

Past Editions versus Current Score

Russia's overall score remains unchanged at 12.50 out of 53 indicators.

Area of Note

As noted in the Index, the Russian Government has over the past three years made significant negative changes to its national IP environment affecting most major IP rights benchmarked in the Index. Under Federal Laws 46 and 213, Decrees 79, 81, 95, 299, 322, and Decree Order 430, the Russian Government has targeted the IP rights of rightsholders, entities, or organizations “associated with foreign states who commit unfriendly actions against Russian legal entities and individuals.” This includes either the suspension or severe restriction of the payment of licensing fees, royalties, and any other associated payments related to the use of patented technologies, utility models, or industrial designs. As a result of these actions, the scores for indicators 1, 2, 3, 4, 7, 10, 11, 12, 13, 15, 17, 18, 19, 21, 22, 23, 27, 34, and 35 were reduced to 0 in the eleventh edition of the Index. No positive changes to Russia's national IP environment occurred in 2024, and these reductions remain in place.

Instead, additional negative developments have further hollowed out Russia's national IP environment. Of note is the government's issuing of Resolution 380 in March 2024. This resolution establishes a mechanism whereby the involuntary use of registered industrial property rights, including patents, utility models, and design rights, is now explicitly institutionalized and sanctioned by the Russian state. This expansion of the involuntary licensing and appropriation of IP rights builds on previous efforts detailed in the Index.

For example, in 2022, Decree 299 was issued targeting potential royalty payments to rightsholders for compulsory licenses. The decree has reduced the amount of compensation to be paid to relevant rightsholders in cases whereby a compulsory license is issued under Article 1360 of the Civil Code Part IV. Similarly, in 2021, the Russian Duma passed, and President Putin signed into law amendments to the Civil Code Part IV. These changes amended Article 1360, inserting further justification for the overriding of any granted rights related to patents, utility models, and industrial designs. Press reports suggest that several involuntary licenses had been issued or were under consideration in 2024 in the pharmaceutical sector. The Index will continue to monitor these developments in 2025.

Incentives for Cutting-Edge Innovation

44. Special market exclusivity incentives for orphan medicinal product development; 45. Special market exclusivity incentives for orphan medicinal product development, term of protection; and 46. Restrictions on the effective use of existing market exclusivity incentives for orphan medicinal product development:
Russia does not have in place any special IP-based market exclusivity incentives for orphan medicinal product development.