

Russia: Fast and furious with your trademark registration

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Fast-track trademark and patent registration has become available in Russia.

That has definitely made Russia one of the most favorable jurisdictions in Europe, at least when it comes to the length of time you spend.

Early in April, the Russian Patent Office (Rospatent) officially launched a service for fast-track registration of trademarks.

The fast-track option has become available for those applicants who ordered and paid an official trademark search report in Rospatent in respect of all 45 Nice classes.

The official fee for this service is EUR 1 500 (RUR 94 400), the term is 10 calendar days. For a combined trademark, though, the fee should be multiplied for each comprised element (verbal or visual).

In order to use a fast-track option, the applicant should submit to Rospatent (1) a conflict search report along with (2) a trademark application and (3) a written request to conduct fast-track registration.

The option is available for all new and already pending applications. It significantly shortens the stage of a legal expertise – up to 2 months. Thus, the new option reduces an overall term of registration from 12-18 months (current term) to 3-4 months (expected fast-track term).

On the one hand, Rospatent assures that haste should not undermine quality. On the other hand, the Civil Code provides for 9 refusal grounds to be examined by Rospatent (*Civil Code*, art. 1499), while the trademark search report may cover only 1 ground.

Considering such a wide scope of examination, would a significant time decrease result in a comparable increase of mistakes? A certain side effect may come, that makes the fast-track option indeed useful for trademarks bearing no risk of refusal (if one ever existed!).

Interestingly, the same opportunity has become available for patents. To enjoy this opportunity, an applicant should obtain a similar official search report for its invention, utility model or design.

The official fee for the service may vary from EUR 750 (RUR 47 200) for industrial designs to EUR 1 500 (RUR 94 400) for inventions and utility models, the term is 10 calendar days.

As a result, registration in Russia may become far more simplified for IP holders interested in soonest protection and realizing the risks of accidental expert mistakes.