



25 January 2018

(18-0617)

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**Council for Trade-Related Aspects
of Intellectual Property Rights**

Original: English

**NOTIFICATION OF LAWS AND REGULATIONS
UNDER ARTICLE 63.2 OF THE TRIPS AGREEMENT**

UKRAINE: RESOLUTION OF THE CABINET OF MINISTERS OF UKRAINE Nº 877 OF
4 DECEMBER 2013 "ON APPROVAL OF THE PROCEDURE FOR GRANTING
PERMISSION BY THE CABINET OF MINISTERS OF UKRAINE TO USE
THE PATENTED INVENTION (UTILITY MODEL)
CONCERNING MEDICINES"

Notifying Member	UKRAINE
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Details of the notified legal text

Title	Resolution of the Cabinet of Ministers of Ukraine Nº 877 of 4 December 2013 "On Approval of the Procedure for Granting Permission by the Cabinet of Minister of Ukraine to Use the Patented Invention (Utility Model) concerning Medicines"
Subject matter	Patents (including plant variety protection)
Nature of notification	<input checked="" type="checkbox"/> Main dedicated intellectual property law or regulation <input type="checkbox"/> Other law or regulation
Link to legal text	https://members.wto.org/crnattachments/2018/IP/UKR/18_0034_00_e.pdf
Notification status	<input checked="" type="checkbox"/> First notification <input type="checkbox"/> Amendment or revision to notified legal text <input type="checkbox"/> Replacement or consolidation of notified legal text(s)
Previous notification(s) referred to	n.a.
Brief description of the notified legal text	
This Resolution approves the Procedure for granting permission of the Cabinet of Ministers of Ukraine to use the patented invention (utility model) concerning medicines without the consent of the patent owner. The Procedure establishes requirements in relation to applications for the grant of appropriate permission with the purpose to protect public health, including in cases of HIV/AIDS and other socially dangerous diseases. It also provides for provisions on notification and payment of compensation to the patent owner in view of the grant of the permission by the Cabinet of Ministers of Ukraine and possibility to appeal such decision in court procedure.	
Language(s) of notified legal text	English, Ukrainian
Date of adoption	4 December 2013

Entry into force	24 December 2013
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Notification details

Submission date of notification	28 December 2017
Other information	As of the date of the submission of this notification, the aforementioned Procedure hasn't been used by Ukraine to address public health problems. http://zakon0.rada.gov.ua/laws/show/877-2013-%D0%BF <i>(in Ukrainian language)</i>
Agency or authority responsible	Ministry of Economic Development and Trade of Ukraine