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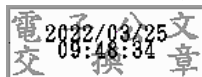
主旨：有關俄羅斯政府決定俄羅斯不須向「不友好國家」之專利持有人支付智慧財產權費用事，敬請卓參。

說明：

- 一、本局接獲駐歐盟兼駐比利時代表處經濟組回報，駐地媒體報導(如附件)俄羅斯政府本(111)年3月7日簽署一項法令，倘專利持有人來自「不友好國家」，則俄羅斯使用人未經權利人同意，使用相關發明、新型或工業設計進行生產、銷售商品、提供勞務及服務時，須向權利人支付權利金為前述活動所產生實際收益之0%。另該政府亦對西方國家對其採取之制裁持續研議反制措施，其中一項可能是取消俄羅斯人使用「支持制裁之國家」盜版軟體之刑事與行政責任。
- 二、俄羅斯政府已將我國列入「不友好國家」名單中，請貴會周知會員，預做準備以降低風險。

正本：社團法人中華民國專利師公會、中華民國全國工業總會

副本：



Russia legalises intellectual property piracy



Russian Prime Minister Mikhail Mishustin chairs a meeting with his deputies via teleconference in Moscow, Russia, 28 February 2022. On 7 March 2022 Mishustin signed a decree according to which intellectual property rights should not be paid to patent holders from unfriendly countries. [Russian government press service pool/EPA/EFE]

The Russian government decided on Monday (7 March) that intellectual property rights should not be paid to patent holders from “unfriendly countries”, which include, among others, all the 27 members of the EU.

Under international law, not paying patent holder rights is considered intellectual property piracy.

Russia adopted on Saturday a list of “enemy countries” including all the 27 EU member countries plus Monaco, Switzerland, Norway, Iceland and San Marino, the United States, the United Kingdom, Canada, Australia, Switzerland, Japan, South Korea, New Zealand, Singapore, Taiwan, Micronesia.

From the Western Balkans, Albania, Montenegro and North Macedonia are included, but not Serbia, an EU candidate country that has refused to enforce sanctions against Russia and continues to nurture friendly ties.

According to Rossiyska Gazeta, on Monday, Prime Minister Mikhail Mishustin signed a decree according to which changes are made to the methodology for determining the compensation paid to the right holder when deciding to use the invention without the holder’s consent.

According to the document, in relation to patent holders from “unfriendly countries”, the amount of payment is 0% of the actual proceeds from the production and sale of goods, performance of work and provision of services, if the relevant inventions, utility model or industrial design are used for this.

According to previous reports in the Russian press, the Russian government has been working on various measures to respond to the Western sanctions adopted in response to Vladimir Putin’s invasion of Ukraine.

It was reported that one of these measures could be the abolition of criminal and administrative liability for the use of pirated software “from countries that support sanctions”.

Under the first Russian counter-sanctions reported so far, Russia would settle any debts with entities from the “unfriendly countries” only in rubles. The Russian currency is losing value at tremendous speed due to Western sanctions. On Tuesday, the US dollar traded at 155 rubles, up from around 80 rubles as of the end of February.

[Edited by Zoran Radosavljevic]

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