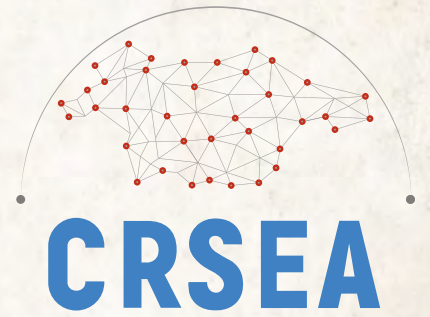


# OCTOBER 2020

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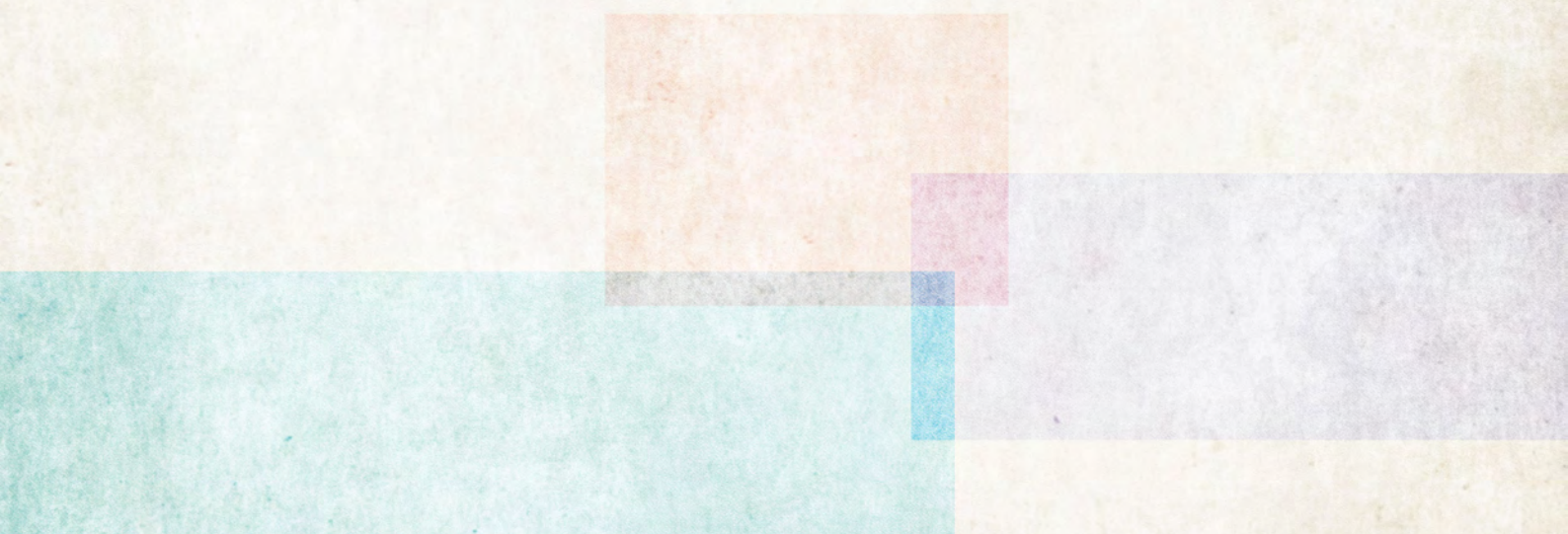
## REVIEW





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## INTERNATIONAL NEWS



**CISAC**

### WIPO AND CISAC ANNOUNCE NEW REPERTOIRE DATA AGREEMENT TO SUPPORT COLLECTIVE MANAGEMENT ORGANIZATIONS

*The World Intellectual Property Organization (WIPO) and the International Confederation of Societies of Authors and Composers (CISAC) announced an important advancement in their cooperation, with a particular benefit for Collective Management Organizations (CMOs) representing creators in developing countries.*

WIPO Director General Francis Gurry and CISAC Director General Gadi Oron signed an agreement that will allow CMOs to manage their repertoire and share it with other CMOs beyond their borders using CISAC's CIS-Net international repertoire database.

Under the agreement, CISAC-member CMOs using WIPO Connect, a new software tool developed by WIPO for CMOs in developing countries, will have access to an enhanced solution to facilitate their participation in CISAC's international information systems network. It has been specifically designed to improve CMOs' international coverage and boost the earnings of creators and publishers who have their rights managed by those CMOs.

This new CISAC-WIPO partnership follows an agreement signed earlier this year on metadata between WIPO and SUISA, the Swiss authors' CMO and a CISAC member. Under that agreement, WIPO Connect user societies obtain access to the global system



for identifying authors, composers and publishers – the IPI system – managed by SUISA on behalf of CISAC. With this agreement and the new one now concluded with CISAC, WIPO Connect users will be able to share their domestic repertoires on the international information exchange systems operated by CISAC. This will help to accurately identify internationally the repertoire of authors and composers who belong to societies using WIPO Connect, and allow them to be remunerated.

[www.cisac.org/Newsroom/News-Releases/WIPO-and-CISAC-Announce-New-Repertoire-Data-Agreement-to-Support-Collective-Management-Organizations](http://www.cisac.org/Newsroom/News-Releases/WIPO-and-CISAC-Announce-New-Repertoire-Data-Agreement-to-Support-Collective-Management-Organizations)



## NEW IMPROVED MUSIC IDENTIFIER WILL HELP CREATORS IN THE ALL-IMPORTANT DIGITAL MARKET



**The new ISWC system comes at a time of sharply reduced income from traditional sources. Music creators stand to benefit from new improved technology that will help track their works better and remunerate them faster in the increasingly important music streaming environment.**

A two-year project to modernise the global ISWC system, the unique code that identifies music works and helps remunerate their creators and publishers, has been completed and is officially launched by CISAC, the International Confederation of Authors Societies.

The new system, upgraded by CISAC for the first time in 15 years, will improve the accuracy, speed and efficiency of societies' work in tracking creators' works and paying royalties. It will help societies and music publishers manage the trillions of data transactions generated by the growth of music streaming.

The upgrade comes at a crucial time when songwriters across the world have seen the collapse of their traditional income streams, especially live concerts and public performance.



Following a “switchover” in July, over 100 authors societies have already migrated to the new system. The development of the system, commissioned by CISAC to Spanish Point Technologies in [January 2018](#), is supported by companies and organisations across the collective management, publishing and digital services community.

The new ISWC system will also be shortly rolled out for use by the publishing community and digital music platforms

The new ISWC system will improve the information flow between societies, publishers and platforms, helping keep pace with the explosion of music streaming. CISAC societies collections for digital music rose 27% in 2019 to €2.1 billion in 2019 and have almost tripled in the last five years, despite still accounting for only 22% of all music collections. Over the last 15 years, more than 50 million ISWC codes have been allocated to music works.

### **The new ISWC system brings key benefits to societies:**

- Greater accuracy. Codes will be assigned centrally, by CISAC, to avoid duplication and inaccuracies. The new system will end the current practice of having ISWC codes allocated by individual societies, a practice that leads to many data integrity challenges. Central assignment will guarantee that each song will get only one unique code.

- More speed. The new system dramatically reduces the time it takes to assign ISWCs. Unlike today, when assignment is often delayed by the need to complete work registration, ISWCs will be available almost instantly. The codes will then be ready for use by all partners in the commercial chain (publishers, sub-publishers, digital services) within hours of the work's release, so that a song used on Spotify, Amazon, Apple Music or others can be monetized without delay.
- Increased efficiency. More remuneration for creators. The new ISWC project takes the friction out of the digital licensing process, reduces costs and brings more value. The fully functioning automated allocation system will save societies time and resources and hand more remuneration back to the creators they represent.

[www.cisac.org/Newsroom/News-Releases/New-improved-music-identifier-will-help-creators-in-the-all-important-digital-market](http://www.cisac.org/Newsroom/News-Releases/New-improved-music-identifier-will-help-creators-in-the-all-important-digital-market)



## WIPO'S SECOND SESSION OF CONVERSATION ON IP AND ARTIFICIAL INTELLIGENCE ENDS WITH OUTLINE OF NEXT STEPS

*The World Intellectual Property Organization (WIPO) ended its [Second Session of the Conversation on Intellectual Property \(IP\) and Artificial Intelligence \(AI\)](#), with [Director General Francis Gurry](#) outlining the next steps in a process designed to help clarify the most-pressing IP policy-related questions in the dynamic and fast-growing field of AI.*



In view of the COVID-19 pandemic, the second installment of the conversation was held as a virtual meeting from July 7-9, 2020. Over 2,000 people from 130 countries, including representatives of member states, academic, scientific and private organizations, followed the deliberations. More than 50 speakers from a diverse range of organizations spoke during the meeting, underlining the timeliness and magnitude of the discussion on [IP](#) and [AI](#). The Conversation was chaired by Ambassador François Rivasseau, Permanent Representative of France to the United Nations and other International Organizations in Geneva.

In closing the meeting, Mr. Gurry said that WIPO will continue to foster dialogue by publishing on its web site all written interventions received within two weeks following the meeting's closure and hold a Third Session of the Conversation on AI and IP at a later date in 2020.

The WIPO Secretariat will also begin working on outlining preliminary considerations stemming from the many questions raised by AI for IP policy for the consideration of member states and other stakeholders. During the proceedings, Mr. Gurry said the Secretariat would study a member state delegate's suggestion to develop a priority list of questions on the IP-AI topic.

[https://www.wipo.int/pressroom/en/articles/2020/article\\_0014.html](https://www.wipo.int/pressroom/en/articles/2020/article_0014.html)

## WIPO AND MUSIC RIGHTS AWARENESS FOUNDATION TO COLLABORATE IN FAVOR OF CREATORS

*The World Intellectual Property Organization (WIPO) and the [Music Rights Awareness Foundation \(MRAF\)](#) have joined forces to support creators around the world in ensuring they are recognized and fairly remunerated for their work by increasing knowledge and awareness of their [intellectual property \(IP\)](#) rights.*

An agreement signed by [WIPO Director General Francis Gurry](#) and MRAF Co-Founders Björn Ulvaeus, Niclas Molinder and Max Martin, establishes a Consortium that will initiate activities to raise awareness of IP rights for creators around the world. The Charter of WIPO for Creators consortium sets the conditions of participation by interested parties, which is open to both members and sponsors from the public or private sectors.

*«This agreement is of critical importance to creators as it unites the expertise of two organizations with very specific mandates in helping creators the world over to monetize their creations,» Mr. Gurry said. «The current COVID-19 crisis has reinforced the importance of the creative industries in society and the need to ensure that creators are justly remunerated for their work – this can only happen through an effective copyright system that provides both the incentives and the rewards for the creative process in an increasingly global and interconnected digital content marketplace.»*

[https://www.wipo.int/pressroom/en/articles/2020/article\\_0016.html](https://www.wipo.int/pressroom/en/articles/2020/article_0016.html)

## WIPO DIRECTOR GENERAL GURRY AND COLOMBIA PRESIDENT DUQUE OPEN "WIPO CONFERENCE ON THE GLOBAL DIGITAL CONTENT MARKET"

**World Intellectual Property Organization (WIPO) [Director General Francis Gurry](#) joined Colombia President Iván Duque in opening the three-day, virtual "[WIPO Conference on the Global Digital Content Market](#)," with each highlighting the importance of government support for the creative industries hit by the COVID-19 pandemic.**

GDCM 2020 was exploring the latest developments in the creative industries sector, in particular focusing on emerging new business models, unfolding developments in global, regional and local markets and the crucial role of IT tools, including artificial intelligence, from the creation of content to the management of rights.



GDCM 2020 featured six live discussions, which addressed the impact of the latest digital developments on creative content and new business models in various sectors: music, publishing, film, broadcasting, video games, and fashion. The September 16-18 discussion covered.

- Music Summit: Cutting-Edge Content Offers in a Fast-Changing Landscape
- Changing Content Landscape for Film
- Authors and Artists in an Evolving Value Chain
- The Global Online Art Market
- Rights Management and Infrastructure Solutions: Driving the Future of GDCM
- AI Lab: How AI is Transforming Creative Industries

In his opening remarks, Mr. Gurry dedicated the conference to the memory of Carole Croella. Ms. Croella, who died recently in a car accident, was the conference's Executive Producer. Ms. Croella joined the Organization in 2000 and made an important contribution to the world of intellectual property as an expert in the copyright and creative industries sectors.

[https://www.wipo.int/pressroom/en/articles/2020/article\\_0018.html](https://www.wipo.int/pressroom/en/articles/2020/article_0018.html)



## WIPO LAUNCHES VIRTUAL EXHIBITION ON ARTIFICIAL INTELLIGENCE AND INTELLECTUAL PROPERTY

*The World Intellectual Property Organization (WIPO) launched "WIPO: AI and IP, A Virtual Experience," an immersive online exhibition using the latest 360 degree scanning technology to foster a more-comprehensive understanding of the relationship between IP policy and AI and the questions facing policymakers.*

The exhibition is the first of its kind at WIPO and offers visitors an interactive opportunity to discover this radical new technology, while exploring some of the many ways AI promises to transform culture and industry.

The exhibition was unveiled during the Sept. 16-18 WIPO Conference on the Global Digital Content Market, which explored the latest worldwide developments in the creative industries sector brought about by digital technologies such as AI.

The exhibition was hosted virtually inside WIPO's premises, including the WIPO library that houses some of the world's earliest historical IP publications, which were presented in 360-degree footage that serves as the background for the AI displays.

The exhibition focused on examples of the use of AI in art, music, technology and entertainment, and asks a number of questions that allow the visitor to relate to underlying issues for the existing IP systems. Exhibits included art created by humanoid robotic artist Ai-Da, a song that won an international AI Song Contest and a game that helped a neural network recognize doodles.



[https://www.wipo.int/pressroom/en/articles/2020/article\\_0019.html](https://www.wipo.int/pressroom/en/articles/2020/article_0019.html)



## WIPO DIRECTOR GENERAL FRANCIS GURRY OPENS WIPO ASSEMBLIES, REPORTS ON PROGRESS DURING 12-YEAR TENURE AT HELM OF THE ORGANIZATION

*World Intellectual Property Organization (WIPO) [Director General Francis Gurry](#) opened the [WIPO Assemblies](#), outlining the Organization's progress during his 12 years as Director General.*



Mr. Gurry, whose second and final six-year term ends on Sept. 30, 2020, also reported on the effects of the COVID-19 pandemic while warning that the diminished state of multilateralism poses a major challenge to the world.

Mr. Gurry said that COVID-19 pandemic had yet to adversely affect the financial position of the Organization, which funds its activities primarily through the provision of global IP services, but that close attention had to be paid to the evolving global economic situation.

Mr. Gurry welcomed to the Assemblies meetings Mr. Tang, who officially assumed his duties as WIPO Director General on October 1, 2020.

Mr. Gurry highlighted growth in WIPO's global IP systems that help stimulate and spread innovation across the globe, as well as adherence to WIPO-administered treaties – with over 400 new accessions to those treaties, the majority coming from developing and least developed countries, Mr. Gurry said. He highlighted two new agreements – the [Beijing](#) and [Marrakesh](#) Treaties – that had had been concluded and entered into force during his tenure.

Mr. Gurry said that the financial situation of the Organization has flourished, with consistent surpluses enabling the Organization to be debt-free while building its net assets, now some CHF 364 million, beyond the target-level set by the Member States. At the same time, fees under the global IP systems have remained constant, Mr. Gurry said.

[https://www.wipo.int/pressroom/en/articles/2020/article\\_0020.html](https://www.wipo.int/pressroom/en/articles/2020/article_0020.html)

## WIPO LAUNCHES NEW FREE DATABASE OF JUDICIAL DECISIONS ON INTELLECTUAL PROPERTY FROM AROUND THE WORLD

*The World Intellectual Property Organization (WIPO) launched [WIPO Lex-Judgments](#), a new database providing free-of-charge access to leading judicial decisions related to IP law from around the world.*

As technological innovation often outpaces the ability of legislatures and governments to create new rules and regulations, courts across the world are increasingly facing common issues of a highly sophisticated nature.

WIPO-Lex Judgments contributes to a greater overall understanding of how courts are handling these issues, by making available judgments – selectively curated by the relevant authorities in participating member states – that establish precedent or offer a persuasive interpretation of IP law in their jurisdiction. At launch, WIPO Lex-Judgments contained over 400 documents from [10 countries](#).

In addition, WIPO Lex-Judgments provides information on the judicial structures for IP disputes in participating member states. This allows users to appreciate the spectrum of structures that include generalist and specialist courts, as well as administrative entities that carry out quasi-judicial functions, and their diverse features that respond to the technical nature of IP disputes.

[https://www.wipo.int/pressroom/en/articles/2020/article\\_0022.html](https://www.wipo.int/pressroom/en/articles/2020/article_0022.html)



## THE EEC AND THE CIS EXECUTIVE COMMITTEE APPLY NEW FORMATS OF INTERACTION IN THE IP SPHERE

*The issues of improving legal relations in the sphere of intellectual property in the digital economy were considered at the 10th meeting of the Interstate Council for Legal Protection and Protection of Intellectual Property of the CIS in the videoconference mode. The event was attended by representatives of the Business Development Department of the Eurasian Economic Commission (EEC).*



The participants discussed proposals for overcoming the negative consequences of the COVID-19 pandemic in various sectors of the economy of the CIS countries, changes in legislation to counter IP violations in the CIS countries, as well as the progress on drafting international agreements in this area.

The emphasis was placed on improving legal relations in the IP sphere in the digital economy. The experience of individual CIS countries in resolving management difficulties in the IP sphere was also discussed.



The format of mutual participation in the events of the EEC and the CIS Executive Committee is stipulated by the Memorandum on developing interaction between the Eurasian Economic Commission and the Executive Committee of the Commonwealth of Independent States dated November 27, 2018 and the plan of joint events for 2019-2020. Earlier, CIS Executive Committee representatives took part in the 10th meeting of the Advisory Committee for Intellectual Property under the Board of the Eurasian Economic Commission.

<http://www.eurasiancommission.org/ru/nae/news/Pages/26-08-2020-01.aspx>



## EUROPEAN UNION

### *EUROPEAN AUDIOVISUAL OBSERVATORY RELEASES NEW REPORT ON COPYRIGHT LICENSING RULES IN THE EUROPEAN UNION*

**The European Audiovisual Observatory, part of the Council of Europe in Strasbourg, provides a pathfinder's thread through European copyright rules in this new and very timely, "go-to" copyright report: Copyright licensing rules in the European Union.**

Platforms for the distribution of film and TV content are endlessly multiplying and changing in nature. In parallel, the application of copyright rules attached to audiovisual works and their exploitation along the value chain are becoming increasingly complex. Obtaining rights from the rightsholders involved in a given project and, in some cases, acquiring licences for the use of pre-existing works, is an essential aspect of the work of film producers and marks an indispensable preliminary step before they can grant licences for the exploitation of the work to the various exploitation channels.

The authors open with an overview of the key concepts of copyright and related rights. They examine the particular rights involved in the production of a film or audiovisual work right along the value chain from development through to production and its exploitation.



The report outlines the various European legal texts with a bearing on copyright. The authors focus on the recent Copyright Directive in the Digital Single Market which has been recently adopted to make copyright and related rights fit for the digital age. As far as licensing is concerned, this Directive introduces new provisions to facilitate rights clearance processes, such as measures to ensure wider access to audiovisual works on VOD platforms or to guarantee fair remuneration in the exploitation contracts of authors and performers.

The authors point out the different approaches between various EU member states regarding the way in which rights are transferred to the producer to enable the exploitation of the final work. In particular, the two main systems encountered – either through specific rules on film production within the general rules on copyright or in the form of a more detailed regime for the main types of copyright contracts – are described.

The report also offers a round-up of the state of play of copyright licensing practices in Europe at a time when the presence of new on-demand players and services entering the market, is challenging existing balances and giving rise to a greater variety of licensing practices.

[Link](#)

### *REGULATION AND RESPONSIBILITY OF VIDEO-SHARING PLATFORMS*

**Video sharing platforms such as YouTube or Facebook have been in the radar of EU media regulators for a good few years now. But as this online landscape changes and develops, EU Member States are up against a close deadline to adopt the rules contained in the AVMSD, revised in autumn 2018.**



At present the EU legal text covering video sharing platforms is the Audiovisual media services directive (AVMSD) which was revised in the autumn of 2018, partly in order to better cover the VSPs and their activities.



However, EC President Ursula van der Leyen has sketched the outlines of a new Digital Services Act Package which would include an upgrade of the EU liability and safety rules for digital platforms, services and products in order to complete the Digital Single Market. Subjects currently under debate in media circles include, for example, the responsibilities of digital services to address the risks faced by their users and to protect their rights and also the fairness of competition between the various e-commerce platforms currently in operation. Clearly several major questions need to be addressed: How can the existing regulatory approaches be developed? How can regulation be better implemented? Is there a need for further regulation of VSPs? What could regulatory approaches look like?

[Link](#)

***NEW IRIS PLUS REPORT: THE EUROPEAN AUDIOVISUAL INDUSTRY IN THE TIME OF COVID-19***

**The world is currently experiencing one of the classic nightmare scenarios most of us thought would remain confined to films and TV series: a global pandemic the likes of which we have never experienced before. And the film and television industries, indeed the whole creative sphere, have been hugely impacted by lockdown measures.**

But other measures have also been introduced: the audiovisual industries are fighting back during the COVID-19 crisis. Governments, cultural institutions and industry representatives have introduced support measures to carry the sector through the crisis, sometimes with notable differences between countries. At pan-European level, the EU leaders agreed on 21 July 2020 on a major recovery plan for Europe and a reinforced long-term budget of the EU, leading the way out of the crisis and laying foundations for a modern and more sustainable Europe. The European Audiovisual Observatory has just published a new free IRIS Plus report: The European audiovisual industry in the time of COVID-19.



This new report offers a clear comparative overview of these support measures in Europe. It accompanies the European Audiovisual Observatory’s online Tracker, which includes most of these measures in tabulated form. The Observatory also organized an event on the impact of the coronavirus crisis on the audiovisual sector during the Cannes Marché du Film online with live testimony from representatives of the various industry players.

The authors kick off by describing the pre COVID audiovisual landscape with the different strengths and weaknesses of the various sectors. They then look at the immediate shock effects of the pandemic and the emergency measures introduced. A reflection on the risks of the crisis becoming systemic then follows, highlighting the fragility of smaller cinemas, TV advertising revenues in freefall and the drop in disposable consumer spending on an ‘entertainment budget’ as key factors.

The authors conclude by highlighting that, while some sectors such as VoD have benefited from increased content consumption during lockdown, others are counting their losses – and they seem significant. The European Audiovisual Observatory will continue to track and measure the effects of COVID-19 on film, television and VoD in Europe.

[Link](#)

## CRSEA



### RUSSIA

#### *GEOGRAPHICAL INDICATION INTRODUCED TO THE CIVIL CODE OF THE RUSSIAN FEDERATION*

**New type of intellectual property, geographical indication, was added to the Civil Code of the Russian Federation. It was introduced in the Federal Law No. 230-FZ of July 26, 2019 “On Amendments to Part Four of the Civil Code of the Russian Federation.”**

This designation identifies a product which characteristics are associated with its geographical origin. Geographical indication is similar to an Appellation of Origin of Goods. Moreover, both of these objects will be regulated by one paragraph of the part Four of the Civil Code of the Russian Federation: “The right to a geographical indication and an appellation of origin of goods.”

The lawmakers point out that it is necessary to protect a large number of designations indicating the geographical origin of goods that cannot be registered as an appellation of origin of goods due to strict requirements for this object. The conditions for registration of geographical indication are less strict than for the appellation of origin of goods. So, a geographical indication can be registered, for example, by associations (unions) or other associations. This option is not provided for the appellation of origin. In the case of a geographical indication,



at least one of the stages of production of goods must be carried out within the territory of the geographical object. As for an appellation of origin of goods, it is required that all production is carried out within a specific area.

<https://delo-press.ru/news/48667-v-gk-rf-skoro-budet-novyy-obekt-intellektualnoy-sobstvennosti/>

### **BILL BANNING FAST FORWARDING OF FINAL CREDITS IN FILMS SUBMITTED TO THE STATE DUMA**

**The authors of the initiative believe that the widespread practice of accelerated display of final credits is a significant problem.**

*“As a result, viewers do not have a full opportunity to receive information about the producer, director, scriptwriter, composer, director of photography, production designer, leading actors and other information about film immediately after its screening on TV. It is extremely regrettable that the fast forwarding of the film final credits creates disrespect for creative work in society,”* said the authors of the bill.



The bill proposes to forbid to show the final credits less than one minute on TV channel regardless of the copyright holder consent. Also according to this document it is not allowed to accelerate the display of the final credits during this period of time.

The authors believe that this rules will restore respect for the work of filmmakers, as well as provide an opportunity for viewers to receive information about the main filmmakers.

[http://rapsinews.ru/legislation\\_news/20200923/306306446.html](http://rapsinews.ru/legislation_news/20200923/306306446.html)

## *RUSSIAN GOVERNMENT APPROVED RULES FOR RETURN OF TICKETS FOR PERFORMANCES AND CONCERTS*

**Russia has approved the rules for the return of tickets for performances, concerts and exhibitions if there are valid reasons to go it. So it will be able to return 100% of the cost even if the owner of this ticket submit an application on the day of the event, – website of the Russian government points out.**

The new return policy depends on the reasons to refuse. If this happened because of the illness, death of a family member or close relative, in this situation the viewer has the right to refund the full cost of the ticket even if applied on the day of the event. No later than this date person must submit an application for return to the organization or the ticket operator which he/she must attach a ticket, a copy of an electronic receipt (in case of e-ticket), a copy of his/her passport and supporting documents (a copy of a sick leave; copies of a death certificate and documents confirming relationship). Documents can be submitted in person, sent by mail or via the Internet.



In other cases, an application and a set of documents must be provided at least 3 days before the event, otherwise the money will not be returned. The refund rate is regulated by Law on Culture and depends on the number of days remaining before the event. Thus the viewer can get back 100% of the ticket price returned no later than 10 days, 50% – no later than 5 days, 30% – no later than 3 days.

The method of returning the money is determined by the organization. Refunds may be refused if the viewer submitted an application later than the established deadline or did not provide supporting documents.

[http://rapsinews.ru/legislation\\_news/20200924/306312500.html](http://rapsinews.ru/legislation_news/20200924/306312500.html)



## EXPERTS SUPPORT INITIATIVES TO TRANSFORM THE INTELLECTUAL PROPERTY SPHERE

**The Federation Council supports the initiatives of Rospatent and the professional community to transform IP sphere, digitalize public services, stimulate inventive activity and commercialize developments.**

It was announced during the plenary session of the international conference “Transformation of the Intellectual Property sphere in Modern Conditions” by the chairman of the Federation Council Committee on Science, Education and Culture Lilia Gumerova.



She noted that the Chamber of Regions has an active role in the process of improving legislation in this area and the whole IP institution development.

“As a result of all activities within the realization of the Chairman of the Federation Council instructions, we have managed to increase the registration numbers of traditional Russian goods as appellations of origin and introduce a new object of intellectual property rights «geographical indication. This work gives Russian Federation an opportunity to join the Geneva Act of the Lisbon agreements,” said Gumerova.

The international conference of Rospatent “Transformation of the Intellectual Property sphere in Modern Conditions” is the main platform for discussing topical issues of the IP sphere development, the mechanism for managing systemic changes in the business environment, international cooperation, digitalization, modern patent analytics, as well as the protection of intellectual property rights.

The conference is attended by representatives of government authorities, foreign patent offices, public organizations and the business community, as well as inventors, patent attorneys and reputable lawyers.

[http://rapsinews.ru/legislation\\_news/20201020/306409736.html](http://rapsinews.ru/legislation_news/20201020/306409736.html)





## REPUBLIC OF BELARUS

### *BELARUS AND WIPO INTENSIFY INTERACTION ON THE IMPLEMENTATION OF ELECTRONIC SYSTEMS*

**Belarus is interested in expanding cooperation with the World Intellectual Property Organization in the direction of more active implementation of electronic systems in order to examine applications and management of rights to industrial property objects, as well as systems related to the automation of processes in the field of collective management.**

This statement was announced by Chairman of the State Committee on Science and Technology of the Republic of Belarus Alexander Shumilin on September 21 at the opening ceremony of the 61st meeting of the WIPO Assemblies of the Member States. He said that with the help of the World Intellectual Property Organization Belarus is planned to create a national center for mediation in the IP sphere in Minsk.



*“Alternative dispute resolution procedures become more and more popular in our country therefore, the promotion of this method of dispute resolution is one of the priorities in our work, as well as creation of Technology and Innovation Support Centers network,”* noted Alexander Shumilin. He also said that Belarus promotes cooperation in IP sphere within the framework of regional economic integration associations and communicate with patent offices in other countries. *“We have stepped up work on accession to the Hague Agreement on Industrial Designs. The draft with the recommendations of the WIPO experts is under consideration by the Belarus Government,”* noted the Chairman of the State Committee on Science and Technology.

<https://pravo.by/novosti/obshchestvenno-politicheskie-i-v-oblasti-prava/2020/september/54693/>



## THE REPUBLIC OF KAZAKHSTAN

### *KAZAKH NATIONAL INSTITUTE OF IP LEADS DIALOGUE ON INCREASING ACCESS TO MEDICINES IN KAZAKHSTAN*

**On September 24, 2018 on the base of the law “Copyright and Related Rights,” Kazakhstan established the National Institute of Intellectual Property (or NIIP) – service that can promote modifications into the State Register of Copyright “Protected objects.”**

NIIP recently took part in the national dialogue held in Nur-Sultan (Astana) that was connected with the medicine access for Kazakh citizens. This topic was discussed by the SK-Pharmacy, the Kazakh Scientific Center for Dermatology and Infectious Diseases, NIIP, the Central Asian Association of People Living with HIV and experts in the IP sphere. The dialogue focused on the best ways to increase access to medicine for the treatment of infectious diseases including HIV and HCV. Also was made reviews connected with the difficulties in the IP sphere in the process obtaining generic drugs in Kazakhstan. At the same time participants looked at the availability of all drugs in relation to IPR in Central Asia, for example, Malaysia, and discussed flexible provisions of international agreements to lower prices in the medicine market as well as the study of procurement of HIV/HCV drugs.

[www.lexology.com/library/detail.aspx?g=e070441a-4ffc-491c-827e-00a96edb43a9](http://www.lexology.com/library/detail.aspx?g=e070441a-4ffc-491c-827e-00a96edb43a9)



## CHINA

### *CHINA USES BLOCKCHAIN TO EASE THE BURDEN OF PRODUCING PROOF OF IP HOLDER*

**The Supreme People’s Court published the “Opinions on Enhancing Protection of Copyright and Related Rights” (hereafter referred to as the «Draft») for comments. The Draft encourages Chinese courts to twist the evidence rules for IP litigation and to help the IP holders to preserve and secure evidence through blockchain, time stamp, etc., in order to effectively solve the difficulty in preserving certain proof. The Draft further encourages the courts to apply interim measures (such as preliminary injunction) and other means (such as evidence preservation and property preservation) in order to protect the legitimate rights of the IP owners.**

This Draft can help any IP holder to keep preservation. As opposed to patent rights and trademark rights (which are authorized by government agency and have clear right basis and boundaries) copyright owners may face different issues when enforcing their rights. In practice the copyright owner may have a lot of different problems in the way to prove that a certain copyrighted work was created at a certain time, which is not an easy thing in some cases. At the same time, it is difficult for the owner to preserve the evidence to prove his/her behavior because the evidence may be easily covered or destroyed.

“Opinions on Enhancing Protection of Copyright and Related Rights” will acknowledge the evidence preserved through blockchain. According to the Draft the copyright owners may preserve his/her own copyright-related information on the blockchain and the evidence recorded on the blockchain will be acknowledged by the court.

It will help copyright owners to prove his/her rights.

Blockchain has advantages in preserving evidence in IP protection:

1. The evidence preserved through blockchain is traceable and immutable;
2. The evidence preserved through blockchain can ensure the authenticity of the information;
3. When the IP transaction information takes place on the blockchain, the transaction process is open and transparent and cannot be modified or faked.



With the help of blockchain technology the IP holder can enforce his/her rights more effectively and efficiently that will solve a lot of problems in preserving the evidence. Jack Ma, the founder of Alibaba, once said that *«IP right needs to be protected with the help of new approaches, and I believe that blockchain technology can solve this problem»*.

On August 8, the CNIPA adopted amendments to the Copyright Law of China in the second reading. The second draft took into consideration three important questions concerned with the exact meaning of the term “works”, exclusion of the provisions prohibiting the abuse of copyright, which present obstacles in the normal distribution of works and regulations on legal liabilities or additional law articles protecting the copyright of audiovisual works.

According to this draft, the term “works” defines *«intellectual achievements that are original and can be expressed in certain forms in literature, art, science and other fields»*.

Additional law articles specify the copyright ownership on audiovisual works on the grounds of the first draft amendment.

[www.lexology.com/library/detail.aspx?g=70c43c97-48e0-4541-a20f-b8e98b187113](http://www.lexology.com/library/detail.aspx?g=70c43c97-48e0-4541-a20f-b8e98b187113)

## **INTERNATIONAL INTELLECTUAL PROPERTY EXCHANGE WAS CREATED IN BEIJING**

**Siberian News Agency reported about the establishment of the International Intellectual Property Exchange in Beijing on the sidelines of the China International Fair for Trade in Services 2020.**

The China Technology Exchange will be responsible for the operation of the Beijing Exchange which aims to become an important hub for the international market for cross-border intellectual property trading, leveraging its location, resources and capital policy advantages.





Beijing Deputy Mayor Wang Hong said: *“On the base of the aforementioned exchange will be created an international IP trading platform and a mechanism for cooperation with government agencies working in this area. Original achievements in the field of intellectual property will be protected.”*

<https://dip.global/news/v-pekine-sozdali-mejdunarodnuyu-birju-intellektualnoy-sobstvennosti-85>

## KYRGYZ REPUBLIC

*CHAIRMAN OF KYRGYZPATENT CO-CHAIRER XII INTERNATIONAL FORUM «INNOVATIVE DEVELOPMENT VIA INTELLECTUAL PROPERTY MARKET»*

**On October, 30 Kutafin Moscow State Law University (MSAL) opened its doors for XII international forum «Innovative development via intellectual property market». Chairperson of the State Service of IP and Innovation under the Government of the Kyrgyz Republic (Kyrgyzpatent) Dinara Moldosheva became a co-chair of the event. Kyrgyzpatent is a member of the Confederation of Rightholders’ Societies of Europe and Asia (CRSEA).**

In the opening speech, Chairman of Kyrgyzpatent said that the global economy reaches a stage of structural reforms and development of digital economy. Nowadays our ordinary life, corporate world and government control is subjected to digital transformation.

*«According to the official position of the Eurasian Economic Union digital economy transference is a driver of economy growth. In the countries-members of the EEU in recent years was fixed the progress in different fields of digital development. Economic development of mentioned countries depends on the creation and use of modern technology, new equipment implementation and widespread use of innovative solutions», she added.*

She paid attention on the importance of change of different instruments that would catalyze innovation development. Dinara Moldosheva in her speech also focused on the tendency connected with the involvement of many departments in the sphere of intellectual property in the process of innovative development in their countries. On her opinion, participation of different departments in the process of finding effective solutions can be favorable for innovative activity.



The main aim of the forum – generalization of experience in the development process of intellectual property market connected with innovation development and transformation to digital economy in EEUA countries and on the Commonwealth of Independent States territory in 2019.

Another task of the event is to identify more important steps in the process of Eurasian IP market development in the transformation process to digital economy on the territory of EEUA and Commonwealth of Independent States. All participants of the forum point at the resolving problems in EEUA countries and on the Commonwealth of Independent States territory till 2030.

At the same time experts involved to the discussion connected with the idea of the usage of IP mechanisms in the creation of unique financial EEUA market that is planned to be started from 2025. The last but not the least topic deals with searching different methods that may give a boost to the creation of effective communication between scientific, educational organizations and corporations in the sphere of intellectual property. This collaboration can be very effective if participants of the forum invite investments to the perspective innovation projects.

The event is organized with the help of the Russian Foundation for Basic Research (RFBR), Russian Organization for Intellectual Property (VOIS), the Ministry of Foreign Affairs of the Russian Federation, Federal Agency for CIS Affairs, Compatriots Living Abroad and International Humanitarian Cooperation, Military-Industrial Commission under the Government of the Russian Federation and Federal Antimonopoly Service of the Russian Federation.

The article was written on the base of information generated by [Kutafin Moscow State Law University](#)