

AGREEMENT
on Coordination of Actions Aimed at Protecting Intellectual Property
Rights

The Eurasian Economic Union Member States, represented by their governments, hereinafter referred to as the Member States,

for the purpose of implementing the Protocol on the Safeguarding and Protection of Intellectual Property Rights (Annex 26 to the Treaty on the Eurasian Economic Union dated May 29, 2014), expressing their intention to develop cooperation between the Member States in the field of safeguarding intellectual property rights within the Eurasian Economic Union (hereinafter the Union),

have agreed as follows:

Article 1

For the purposes of this Agreement, the terms below shall have the following meanings:

coordination of actions is the interaction of the authorized authorities of the Member States between them and with the Eurasian Economic Commission for the purpose of securing mutual interests of the Member States in the field of protecting intellectual property rights;

infringement of intellectual property rights is the use of intellectual property assets including in the Internet information and telecommunication network, manufacture, distribution or other use as well as importation, movement or storage of goods for these purposes if such actions entail infringement of intellectual property rights protected in accordance with the legislation of the Member States;

joint activities are agreed activities on preventing, detecting, suppressing and investigating infringements of intellectual property rights carried out by the authorized authorities of two or more Member States;

an authorized authority is an executive or other authority vested with the powers in the field of protecting intellectual property rights in accordance with the regulatory legal acts of a Member State.

Article 2

1. The Member States shall cooperate and ensure effective interaction of the authorized authorities proceeding from the need to establish a unified system for protecting intellectual property rights.

2. For the purpose of protecting intellectual property rights including effective suppression of infringements of such rights in the customs territory of the Union, the following shall be performed:

coordination of actions to prevent, detect, suppress and investigate infringements of intellectual property rights as well as to improve the activities by the authorized authorities in this field;

harmonization and improvement of the Member States' legislation to protect the intellectual property rights in the customs territory of the Union;

other actions (if necessary).

Article 3

At the meetings of the relevant advisory authority under the Eurasian Economic Commission's Board, for the purpose of coordinating their actions, representatives of the authorized authorities shall consider the matters arising as part of implementing this Agreement based on the following principles:

equality of the authorized authorities in setting objectives and carrying out activities as part of coordinating their actions;

independence of each authorized authority within the powers they are vested with in accordance with the legislation of a Member State;

publicity to the extent not contradicting the legislative requirements of the Member States for protecting human and civil rights or regarding state secrets and other secrets protected by law.

Article 4

Hereunder, the Eurasian Economic Commission together with the authorized authorities shall:

analyze and summarize practices of suppressing infringements of intellectual property rights in the territories of the Member States as well as forecast trends in preventing, detecting, suppressing and investigating offenses in this field;

analyze law enforcement practice of the Member States regarding protection of intellectual property rights including implementation of international treaties in this field;

develop proposals on improving the effectiveness of protecting intellectual property rights including on preventing infringements of these rights in the customs territory of the Union;

participate in organizing and holding joint seminars, conferences and other activities aimed at professional development of employees of the Eurasian Economic Commission's authorities authorized in protecting intellectual property rights.

Article 5

For the purpose of coordinating their activities, the authorized authorities shall cooperate in the following forms:

interaction within the activities of an advisory authority under the Eurasian Economic Commission's Board;

exchange of information on protecting intellectual property rights including on preventing infringements of these rights in the customs territory of the Union;

holding meetings of the authorized authorities;

developing and implementing agreed plans for coordinating activities;

holding joint events including as part of implementing agreed plans stipulated in the fifth indent of this Article;

conducting internships, seminars, conferences and other activities for exchanging experience;

publishing bulletins (compendiums) and other information materials;

other forms by mutual agreement of the Member States.

Article 6

1. On their initiative or on requests of other authorized authorities, the authorized authorities shall exchange information:

about specific facts and events related to infringements of intellectual property rights;

about persons involved in infringements of intellectual property rights;

about movement of goods from the territory of one Member State to the territory of another Member State entailing infringement of intellectual property rights as well as about goods and vehicles used for moving such goods;

about goods imported (being imported) from the territories of third countries into the customs territory of the Union if importation of such goods entails infringement of intellectual property rights, as well as other information (as appropriate).

2. Information specified in paragraph 1 of this Article may be transferred by the authorized authority to third persons only with written consent of the authorized authority that provided such information.

The authorized authority that received such information shall ensure a level of its protection equivalent to that ensured by the authorized authority that provided such information.

3. The authorized authority and its employees in possession of information specified in paragraph 1 of this Article shall bear responsibility established by the legislation of the state of this authorized authority for violating the terms stipulated in paragraph 2 of this Article.

Article 7

1. The authorized authorities shall be entitled to make relevant requests to each other for carrying out joint activities or supporting their implementation.

2. The authorized authorities shall interact in terms of fulfilling requests on providing assistance in suppressing intellectual property crimes and infringements of intellectual property rights as well as in terms of providing information and handling it based on international treaties to which the Member States are parties and in accordance with the legislation of the Member States.

Article 8

The Member States shall bear their costs associated with the implementation of this Treaty. Transportation costs and accommodation costs during events stipulated in Article 5 herein shall be borne by the sending Member State.

Article 9

1. This Agreement shall be implemented by the authorized authorities that shall cooperate to the extent of their competence and complying with the legislation of the relevant Member State, international treaties and acts constituting the Union law.

2. For the purpose of implementing this Agreement, the Eurasian Economic Commission shall support the authorized authorities in their interaction in the field of protecting intellectual property rights within the Union.

3. The Member States shall designate the authorized authorities and, within three months from the effective date of this Agreement, shall inform the depositary about them; the depositary shall inform other Member States about such authorized authorities.

The Member States shall inform the depositary about changing the authorized authorities within a month.

Article 10

1. Information shall be exchanged between the authorized authorities and the Eurasian Economic Commission under this Agreement and requests shall be fulfilled according to the procedure stipulated by the regulation for interaction between the authorized authorities and the Eurasian Economic Commission.

2. The regulation specified in paragraph 1 of this Article shall be approved by the Eurasian Economic Commission within three months from the effective date of this Agreement.

Article 11

1. This Agreement may be amended by separate protocols.

2. Disputes arising between the Member States from the interpretation and/or application of this Agreement shall be settled according to the procedure established by the Treaty on the Eurasian Economic Union dated May 29, 2014.

Article 12

1. This Agreement is an international treaty concluded within the Union and constituting the Union's law.

2. This Agreement shall enter into force on the date the depositary receives through diplomatic channels the last written notification of the fulfillment by the Member States of the internal legal procedures required for enactment of this Agreement.

Done in Grodno on September 8, 2015, in one original counterpart in Russian.

The original counterpart of this Agreement shall be kept by the Eurasian Economic Commission, which, being the depositary hereof, shall send a certified copy of this Agreement to each Member State.

For the Government of the Republic of Armenia Seal: DEPOSITARY * EURASIAN ECONOMIC COMMISSION	For the Government of the Republic of Belarus Seal: DEPOSITARY * EURASIAN ECONOMIC COMMISSION	For the Government of the Republic of Kazakhstan Seal: DEPOSITARY * EURASIAN ECONOMIC COMMISSION
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For the Government of the Kyrgyz Republic Seal: DEPOSITARY * EURASIAN ECONOMIC COMMISSION	For the Government of the Russian Federation Seal: DEPOSITARY * EURASIAN ECONOMIC COMMISSION
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