MINISTRY OF FINANCE OF UKRAINE

ORDER

30.05.2012  No. 648

Registered with the Ministry
of Justice of Ukraine
on 22 June 2012
under No. 1034/21346

On approval of the Procedure for registration of intellectual property rights items protected by law in the customs register

*(As amended according to Order of the Ministry of Finance* [*No. 282 of 09.06.2020*](https://zakon.rada.gov.ua/laws/show/z0548-20#n2)*)*

In accordance with [paragraph 3 of Article 398 of the Customs Code of Ukraine](https://zakon.rada.gov.ua/laws/show/4495-17#n843) of 13 March 2012 No. 4495-VI and to properly ensure the facilitation of the protection of intellectual property rights by the customs authorities with regard to foreign economic activities, I hereby ORDER:

1. That the [Procedure for registration of intellectual property items protected by law in the customs register](https://zakon.rada.gov.ua/laws/show/z1034-12#n20) (hereinafter referred to as “the Procedure”) (attached hereto) be approved.

2. That the State Customs Service of Ukraine (I.H. Kalietnik) bring, within a two weeks as of the date of entry into force of this order, the structure and algorithm of the UAIS software and information complex of the State Customs Service of Ukraine “Customs register of intellectual property items” into compliance with the requirements of the Procedure.

3. That it is to be established that:

3.1. The amounts of the monetary deposit made upon registration of an IPR item in the customs register or in case of suspension of customs clearance at the initiative of the customs authority shall be subject to return in accordance with the [Procedure for providing a deposit or an equivalent guarantee for the reimbursement of expenses related to the actions of the customs authorities of Ukraine relating to facilitation of protection of intellectual property rights](https://zakon.rada.gov.ua/laws/show/z0361-12#n18) and the [certificate form on registration of an intellectual property item in the customs register](https://zakon.rada.gov.ua/laws/show/z0361-12#n87) as approved by the Order of the Ministry of Finance of Ukraine No. 1762 of 28 December 2011, registered with the Ministry of Justice of Ukraine on 5 March 2012 under No. 361/20674. Intellectual property rights items (hereinafter referred to as “IPR”) registered in the customs register, for which monetary deposits have been made, shall not be struck out of the customs register.

3.2. Measures to prevent infringement of IPR during the movement across the customs border of Ukraine of goods containing IPR items, which are registered in accordance with the [Procedure for registration of intellectual property rights items in the customs register](https://zakon.rada.gov.ua/laws/show/622-2007-%D0%BF), obtaining information, and interaction between customs authorities and other law-enforcement and supervisory authorities and by owners of rights to the intellectual property items in case of suspension of customs clearance of goods at the initiative of the customs authority as approved by Resolution of the Cabinet of Ministers of Ukraine No. 622 of 13 April 2007 (hereinafter referred to as “the Registration Procedure”), shall be performed by the customs authorities until the expiration of the registration period of such items.

4. That the extension of the period of registration of an IPR item entered in accordance with the [Registration Procedure](https://zakon.rada.gov.ua/laws/show/622-2007-%D0%BF) in the customs register may be effected based on an application for facilitation of the protection of property rights to the intellectual property item, submitted by the right holder on the form as specified in the Procedure. Changing and supplementing the information in the customs register shall be performed in accordance with the Procedure.

5. That the Department of Tax, Customs Policy and Accounting Methodology of the Ministry of Finance of Ukraine (M.O. Chmeruk) and the Department of Classification of Goods and Measures for the Regulation of Foreign Trade of the State Customs Service of Ukraine (A.E. Hutnyk) ensure under the established procedure:

submission of this Order for official registration to the Ministry of Justice of Ukraine;

publication of this Order.

6. This Order shall enter into force on the day of entry into force of the [Customs Code of Ukraine](https://zakon.rada.gov.ua/laws/show/4495-17) of 13 March 2012, but not earlier than on the day of its official publication.

7. Control over the implementation of this Order shall be entrusted to the First Deputy Minister of Finance of Ukraine A.I. Miarkovskyi and the First Deputy Head of the State Customs Service of Ukraine O.M. Dorokhovskyi.

Minister Yu. Kolobov

AGREED WITH:

First Deputy Minister
of Economic Development and Trade of Ukraine A.A. Maksiuta

APPROVED
by the Order of the Ministry
of Finance of Ukraine
30.05.2012  No. 648
(as amended by the Order
of the Ministry of Finance of Ukraine
[No. 282](https://zakon.rada.gov.ua/laws/show/z0548-20#n25) of 09 June 2020)

Registered with the Ministry
of Justice of Ukraine
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PROCEDURE
for registration of intellectual property items protected by law in the customs register

I. General provisions

1. This Procedure establishes the procedure for registration of intellectual property items (hereinafter referred to as “IPR”), which are protected by law, in the customs register, including the application form, the list of information and documents to be attached to the application, the procedure for submitting and reviewing applications, entering information in the customs register and its maintenance.

2. In this Procedure, the terms shall be used in the following meanings:

facilitation measures mean measures as provided for [by paragraph 1](https://zakon.rada.gov.ua/laws/show/4495-17#n3364) of Article 397 of the Customs Code of Ukraine (hereinafter referred to as “the Code”) to facilitate the protection of IPR, which are applied to goods suspected of infringing IPR;

application for the registration of an IPR item in the customs register means [an application seeking facilitation of the protection of an IPR item belonging to a right holder](https://zakon.rada.gov.ua/laws/show/z1034-12#n80), submitted in accordance with annex 1 hereto and [Article 398](https://zakon.rada.gov.ua/laws/show/4495-17#n3371) of the Code for the purpose of entering such item in the customs register;

application for the extension of an IPR item’s registration in the customs register means [an application seeking extension of the period of an IPR item in the customs register](https://zakon.rada.gov.ua/laws/show/z1034-12#n362), submitted in accordance with annex 2 hereto for the purpose of continued registration such item in the customs register;

the applicant means a right holder who, independently or through a representative authorised by him/her, submits, in accordance with the established procedure, an application for the registration of an IPR item in the customs register or for an extension of the period of registration of an IPR item in the customs register;

suspension of customs clearance of goods means suspension of customs formalities in the course of customs clearance of goods on the basis of a customs declaration, or suspension of customs formalities carried out for the goods without submission of a customs declaration, which takes place on the basis of a decision to suspend customs clearance of goods;

SU means a structural unit of the customs authority, which, according to the regulation, is entrusted with the function of organizing the application of facilitation measures.

Other terms in this Procedure shall be used in the meanings given in [the Code](https://zakon.rada.gov.ua/laws/show/4495-17) and other regulatory acts.

Document management arrangements shall be in compliance with the provisions of the Resolution of the Cabinet of Ministers of Ukraine [No. 55](https://zakon.rada.gov.ua/laws/show/55-2018-%D0%BF) of 17 January 2018 “Some issues of documenting management activities”.

3. The right holder who has reason to believe that during the movement of goods across the customs border of Ukraine, his/her rights to the IPR item are infringed or may be infringed, shall have the right to submit, free of charge, an application to the State Customs Service for the registration of an IPR item in the customs register.

4. An application for the registration of an IPR item in the customs register may be submitted for the purpose of registration of the following IPR items in the customs register: copyright and related rights, inventions, industrial designs, trademarks, geographical indications, plant varieties, semiconductor layout designs.

5. It is allowed to submit one application for the registration of an IPR item in the customs register seeking entering two or more IPR items in the customs register, provided that the requirements stipulated by this Procedure are met.

6. Registration of IPR items in the customs register and maintenance of the customs register shall provide for:

application registration and review;

registration of an IPR item in the customs register by entering information and documents provided in the customs register;

refusal of registration of an IPR item in the customs register;

inclusion of an IPR item in the customs register;

changing and/or supplementing information and/or documents in the customs register;

extension of the period of registration of an IPR item in the customs register;

publishing information on the IPR items registered in the customs register.

7. Registration of an IPR item in the customs register shall be based information and documents provided by the applicant to the SCS SU.

8. The applicant shall bear responsibility for providing inaccurate information in the application and in the documents attached thereto, including those provided in response to the request of the SCS SU.

9. Registration of IPR items in the customs register shall be performed by means of the software and information complex ““Customs Register of Intellectual Property Rights” within the Unified Automated Information System of SCS (hereinafter referred to as “SIC ‘Customs Register’”).

10. Information about IPR items entered in the customs register shall be provided to the customs authorities through the Unified Automated Information System of SCS.

11. Upon registration of an IPR item in the customs register, the customs authorities shall, based on the data of such register, apply facilitation measures and take other action as provided for by law.

II. Submission of an application for the registration of an IPR item in the customs register, or an application for an extension of the period of an IPR item’s registration in the customs register, and their review; entering information in the customs register, and its maintenance

1. To register an IPR item in the customs register, the applicant shall submit to the SCS an application for registration of an IPR item in the customs register in a paper form or in the form of a scanned copy, by means of electronic communication, or in an electronic form using the means of information and telecommunication systems of the State Customs Service, in compliance with the requirements of legislation on information protection, electronic trust services and electronic document flow.

2. The following documents shall be attached to the application for registration of an IPR item in the customs register:

1) a copy of a document that confirms the registration of IPR in Ukraine, or a copy of a document that confirms the effect of legal protection of IPR on an internationally registered item in Ukraine and certifies the relevant right holder’s property rights to the IPR item (hereinafter referred to as “the title protection”);

2) duly executed power of attorney or its certified copy in the event that a representative authorised by the right holder is the applicant who submits such an application on behalf of the right holder;

3) description of the IPR item, description and photographic image of each individual type of original goods containing the said IPR item, and for which an application for registration of an IPR item in the customs register has been submitted, for the purpose of identification of goods containing the said IPR item by customs authorities;

4) a description of the method of establishing the presence of an IPR item in each individual product for which an application for registration of an IPR item in the customs register has been submitted — where an invention, industrial model, plant variety or semiconductor layout design is submitted for registration in the customs register;

5) photographic image of goods suspected of infringing IPR, counterfeit and pirated goods, etc. (if available).

Optionally, the applicant can add samples of original goods and/or goods suspected of infringing IPR, counterfeit and pirated goods, etc., to his/her application for registration of an IPR item in the customs register.

Where an application for the registration of an IPR item in the customs register is submitted for an IPR item belonging to a person resident in Ukraine, and the manufacturer of the original goods containing such an item is a non-resident located outside of Ukraine, the applicant must, together with the application for the registration of the IPR item in the customs register, submit copies of the documents on the basis of which the above manufacturer of goods uses the IPR item belonging to a person resident in Ukraine.

3. To register a trademark in the customs register, an application for the registration of an IPR item in the customs register shall be submitted for goods that correspond to the classes of goods according to the International Classification of Goods and Services specified in the submitted title protection for such a trademark.

4. An application for the registration of an IPR item in the customs register submitted in a paper form or in the form of a scanned copy by means of electronic communication shall be registered in accordance with the State Customs Service’s record keeping guidelines.

Upon registration, such application shall, not later than on the next business day, be forwarded to the SCS SU for review.

5. Where an application for the registration of an IPR item in the customs register is submitted in a paper form, the above application shall be submitted in two copies (a copy for the customs authority and a copy for the right holder), and the original documents or their copies certified under the established procedure shall be submitted together with electronic (scanned) copies of the above application and documents.

6. An application for the registration of an IPR item in the customs register submitted in an electronic form using the means of information and telecommunication systems of the State Customs Service in compliance with the requirements of legislation in the areas of information protection, electronic trust services and electronic document flow, shall be automatically registered in the SIC “Customs Register” in in the case of a positive result of a format check for the correctness of filling in the application fields.

7. Where an incorrectly filled field of the electronic application form is found, the applicant shall be notified of the nature of the error found and the procedure for its correction, by means of an information notice.

8. In the case of submitting an application for the registration of an IPR item in the customs register in an electronic form using the means of information and telecommunication systems of the State Customs Service in compliance with the requirements of legislation in the areas of information protection, electronic trust services and electronic document flow, an electronic application form and electronic (scanned) document copies to b submitted in accordance with [paragraph 2](https://zakon.rada.gov.ua/laws/show/z1034-12#n115) of this section, shall certified by the applicant’s qualified electronic signature.

9. Upon registration, with SIC “Customs Register”, of the application for registration an IPR item in the customs register submitted in an electronic form using the means of information and telecommunication systems of the State Customs Service, in compliance with the requirements of legislation on information protection, electronic trust services and electronic document flow, a notice containing the date and the number under which his/her application was registered shall be sent.

10. Upon registration of the application for registration of an IPR item in the customs register, the SCS SU shall review the said application, including:

checking whether the applicant has legal grounds for submitting an application and the necessary scope of rights to take action aimed at the protection of property rights to the IPR item;

checking for compliance with the procedure for filling in the application fields and for the availability of documents to be submitted in accordance with [paragraph 2](https://zakon.rada.gov.ua/laws/show/z1034-12#n115) of this section;

checking the availability of all copies of the application, electronic (scanned) copies of the above application and documents attached thereto;

verification of information specified in the application and/or submitted documents, including by using open international and national databases and information resources of the State Customs Service;

check for characteristic (typical) signs of goods that can be identified by customs authorities during customs control and customs clearance of goods;

assessment of the possibility of finding of an IPR item in the goods during customs control and customs clearance of the goods by an official of the customs authority by using the methods suggested by the applicant.

11. In case of doubt as regards the validity of the document submitted together with the application for the registration of an IPR item in the customs register, or the authenticity of the information contained therein, the SCS SU may request the body, enterprise, institution, organization that issued the said document to verify it or provide additional information.

At the same time, the term of review of such an application is not suspended.

12. Where during the review of the application for registration of an IPR item in the customs register, the SCS SU has received the applicant’s request for withdrawal of the above application. the review shall be discontinued.

At the same time, the SCS SU shall not notify the applicant of discontinuation of his application’s review.

13. If, upon registration of the application for the registration of an IPR item in the customs register, it is found that not all the documents provided for in [paragraph 2](https://zakon.rada.gov.ua/laws/show/z1034-12#n115) of this section have been attached to it, and/or incomplete information is indicated in the relevant fields of the said application, and/or in case of comments to the attached documents, the SCS SU shall send a request to the applicant indicating the documents and/or information that must be provided, corrected or supplemented.

14. The applicant shall respond to the SCS SU’s request provided for in [paragraph 13](https://zakon.rada.gov.ua/laws/show/z1034-12#n142) of this section within 10 business days from the date of receipt of the above request.

15. The date of receipt of the request by the applicant shall be the day when the SCS SU has emailed the above request by means of electronic communication to a email address indicated in the application for the registration of an IPR item in the customs register he/she submitted, or where an application for the registration of an IPR item in the customs register is submitted in an electronic form using the means of information and telecommunication systems of the State Customs Service, in compliance with the requirements of legislation on information protection, electronic trust services and electronic document flow, the above request was submitted by way of electronic message.

16. In case of a request sent in accordance with [paragraph 13](https://zakon.rada.gov.ua/laws/show/z1034-12#n142) of this section, the term for review of an application for registration of an IPR item in the customs register shall be suspended as of the day the above request was sent to the applicant and is renewed as of the day the SCS SU received a response to the request.

17. Based on the results of review of the application for the registration of an IPR item in the customs register, the documents attached to it, as well as the documents and/or information provided by the applicant in response to the request of the SCS SU, the latter shall:

register the IPR item in the customs register, or

refuse to register an IPR item in the customs register.

18. Base on the results of the review of the application for the registration of an IPR item in the customs register seeking entering two or more IPR items in the customs register, individual IPR item(s) for which an application was submitted may be registered.

In that case, the SCS Su shall provide the applicant with the list of IPR items registered in the customs register.

19. Registration of an IPR item in the customs register or refusal to register an IPR item in the customs register shall be effected within maximum 30 business days as of the date of:

registration of the above application in accordance with the requirements of the SCS record keeping guidelines — where the application is submitted in a paper form or in the form of a scanned copy by means of electronic communication; or

automatic registration of such an application in the SIC “Customs Register” — where the application is submitted in electronic form using the means of information and telecommunication systems of the State Customs Service in compliance with the requirements of legislation in the areas of information protection, electronic trust services and electronic document flow.

20. Where the application for the registration of an IPR item in the customs register is submitted in a paper form or in the form of a scanned copy by means of electronic communication, information on the registration of an IPR item in the customs register or on the refusal to register an IPR item in the customs register is indicated in two copies of the said application, of which one shall be sent to the applicant, together with the electronic medium (if provided).

21. In the case of registration of an IPR item in the customs register, the official of the SCS SU shall enter information from the application, electronic (scanned) copies of the documents attached thereto, including information and/or documents provided at the SCS SU’s request, or ensure saving in SIC “Customs Register” such information and documents if submitted by the applicant in an electronic form using the means of information and telecommunication systems of the State Customs Service in compliance with the requirements of legislation in the areas of information protection, electronic trust services and electronic document flow.

22. Registration of an IPR item in the customs register shall be deemed completed after the information and electronic (scanned) copies of documents confirming his compliance with the requirements of this Procedure as submitted by the applicant have been entered or saved in the SIC “Customs Register”.

23. Upon completion of the registration of the IPR item in the customs register, the official of the SCS SU shall make an appropriate note in the SIC “Customs Register” and record the date and serial number of the said registration.

24. Upon completion of the registration of the IPR item in the customs register, information and electronic (scanned) copies of documents relating to the registered IPR item shall be automatically brought to the attention of customs authorities in accordance with [paragraph 10,](https://zakon.rada.gov.ua/laws/show/z1034-12#n111) section I hereof and be available for use by officials of the customs authorities.

25. Upon completion of the registration of the IPR item in the customs register, making changes and/or adding information and/or documents relating to the registered IPR item shall be effected in accordance with [paragraphs 32](https://zakon.rada.gov.ua/laws/show/z1034-12#n176) and [33](https://zakon.rada.gov.ua/laws/show/z1034-12#n179) of this section.

26. The period of registration of an IPR item in the customs register shall be set taking into account the period specified in the application for the registration of an IPR item in the customs register, but such a period cannot exceed 1 year as of the date of registration of the IPR item in the customs register.

27. The period of registration of an IPR item in the customs register shall be calculated from 00:00 of the day following the day of completion of registration of the IPR item in the customs register.

28. Where a single application for the registration of an IPR item in the customs register, seeking registration of two or more IPR items in the customs register is submitted, one general registration period for all IPR items shall be set.

29. The SCS SU shall, not later than on the next business day after the day of completion of the registration of the IPR item in the customs register, notify the applicant of the registration of the IPR item in the customs register of, indicating the date of registration of the IPR item, its serial number in the customs register and the validity period of the IPR item’s registration, by sending to the applicant:

one copy of an application for the registration of an IPR item in the customs register — if submitted in a paper form or in the form of a scanned copy by means of electronic communication; or

an electronic message — if submitted in electronic form using the means of information and telecommunication systems of the State Customs Service in compliance with the requirements of legislation in the areas of information protection, electronic trust services and electronic document flow.

30. Refusal to register an IPR item in the customs register shall take place in case of:

1) the applicant’s lack of legal grounds for submitting an application for the registration of an IPR item in the customs register and/or the necessary scope of rights to take action aimed at the protection of property rights to the IPR item;

2) failure to comply with the application form for registration of an IPR item in the customs register;

3) discovery by the SCS SU of unreliable and/or incomplete information and/or inconsistent information contained in the application for the registration of an IPR item in the customs register, the documents attached to it, including information and/or documents provided by the applicant in response to the request of the SCS SU;

4) failure to provide documents and/or information to be submitted in accordance with [paragraph 2](https://zakon.rada.gov.ua/laws/show/z1034-12#n115) of this section, including in response to the SCS SU’ request;

5) impossibility of finding an IPR item in the goods during customs control and customs clearance of the goods by an official of the customs authority by using the methods suggested by the applicant;

6) lack of characteristic (typical) signs of original goods that can be identified by customs authorities during customs control and customs clearance of goods;

7) inconsistency of the goods containing a trademark, for which an application for the registration of an IPR item in the customs register has been submitted, to the classes of goods according to the International Classification of Goods and Services specified in the title protection for such a trademark — in case of the above application for registration of a trademark in the customs register;

8) non-reimbursed costs in respect of that IPR item, associated with the storage of goods whose customs has been suspended in accordance with [Articles 399](https://zakon.rada.gov.ua/laws/show/4495-17#n3379), [400](https://zakon.rada.gov.ua/laws/show/4495-17#n3395) and [401-1](https://zakon.rada.gov.ua/laws/show/4495-17#n5971) of the Code.

31. The SCS SU shall notify the applicant of the refusal to register an IPR item in the customs register or in case of registration of an individual IPR item / individual IPR items in the customs register (in case of submission of a single application for registration of an IPR item in the customs register seeking registration of two or more IPR items in the customs the register), in writing (on a paper or electronic document), giving a reasoned substantiation of the reasons for such refusal or non-registration of all IPR items submitted in a single application for the registration of an IPR item in the customs register.

32. Upon registration of the IPR item in the customs register, the applicant shall be obliged to notify the SCS SU on:

1) any changes in, and/or additions to, the information regarding the registered IP item, as well as in the documents submitted together with the application, and entered in the customs register;

2) additions to the information in the customs register as regards the original goods, to be filled in items 10, 11, 12 and 15 of the application for the registration of an IPR item in the customs register, which is absent as regards the registered IPR item in the customs register, including in case when following the suspension of customs clearance of the goods, the right holder reported that he/she considers such goods to be original, and gave his/her consent to the resumption of their customs clearance.

33. Notification of changes and/or additions as provided for by sub-paragraphs [1](https://zakon.rada.gov.ua/laws/show/z1034-12#n177), [2](https://zakon.rada.gov.ua/laws/show/z1034-12#n178) of paragraph 32 of this section shall be sent by the applicant without delay, but not later than within 10 business days as of the day when such changes and/or additions took place, or as of the day of giving consent to resumption of customs clearance of original goods.

Such notices shall be drawn up in any form and be submitted, together with the relevant copies of documents (where necessary), to the SCS SU in a paper form or in the form of a scanned copy, by means of electronic communication, or in an electronic form using the means of information and telecommunication systems of the State Customs Service, in compliance with the requirements of legislation on information protection, electronic trust services and electronic document flow.

34. Upon receipt of information an documents in accordance with [paragraphs 32](https://zakon.rada.gov.ua/laws/show/z1034-12#n176), [33](https://zakon.rada.gov.ua/laws/show/z1034-12#n179) of this section, the SCS SU shall, without delay but not later than on the next business day, enter the above information and/or documents in the customs register.

35. Refusal to amend and/or supplement information on the registered IPR item shall be given in case of:

1) the applicant’s lack of legal grounds for submitting amendments and/or supplements to the information on the registered IPR item, and/or the necessary scope of rights to take action aimed at the protection of property rights to the IPR item;

2) discovery by the SCS SU of unreliable and/or incomplete information and/or inconsistent information contained in the amendments and/or supplements to the information on the registered IPR item;

3) impossibility of finding an IPR item in the goods during customs control and customs clearance of the goods by an official of the customs authority by using the methods suggested by the applicant;

4) lack of characteristic (typical) signs of original goods that can be identified by customs authorities during customs control and customs clearance of goods;

5) inconsistency of the goods containing a trademark, for which amendments and/or supplements to information on the registered IPR item have been submitted, to the classes of goods according to the International Classification of Goods and Services specified in the title protection for such a trademark — in case of submission of amendments and/or supplements to information regarding registered trademark.

36. The SCS SU shall notify the applicant on its refusal to enter amendments and/or supplements to the information on the registered IPR item, giving a reasoned substantiation of the reasons for such refusal, by the letter in a paper form or in the form of a scanned copy, by means of electronic communication, or in an electronic form using the means of information and telecommunication systems of the State Customs Service, in compliance with the requirements of legislation on information protection, electronic trust services and electronic document flow.

37. The period of an IPR item’s registration in the customs register may be extended based on the application for an extension of the period of registration of an IPR item in the customs register.

The above application shall be submitted by the applicant and must be registered under the procedure as provided under [paragraph 4](https://zakon.rada.gov.ua/laws/show/z1034-12#n124) or [paragraph 6](https://zakon.rada.gov.ua/laws/show/z1034-12#n127) of this section, not later than within 30 business days as of expiry of the registration period of the said IPR item in the customs register.

38. Where an application for the extension of the period of registration of an IPR item in the customs register is registered later than 30 business days prior to the expiration of the registration period of the said IPR item in the customs register, the SCS SU shall refuse to review it, of which it shall notify the applicant in writing (paper or electronic document) not later than within 10 business days as of the date of receipt of such application.

39. The period of registration of an IPR item in the customs register shall be extended for the term as indicated in the application for the extension of the period of registration of the IPR item in the customs register, but for no more than 1 year, and shall be calculated from 00:00 of the day following the day of expiration of the registration of the IPR item in the customs register.

40. Based on the results of the review of the application for the extension of the period of registration of an IPR item in the customs register, within maximum 30 business days as of the application registration date:

the period of registration of an IPR item in the customs register shall be extended, or

refusal to extend the period of registration of an IPR item in the customs register shall be issued.

41. Refusal to extend the period of registration of an IPR item in the customs register shall be issued in case of:

the applicant’s lack of legal grounds for submitting an application for the for an extension of the period of an IPR item’s registration in the customs register and/or the necessary scope of rights to take action aimed at the protection of property rights to the IPR item;

non-reimbursed costs in respect of that IPR item, associated with the storage of goods whose customs has been suspended in accordance with [Articles 399](https://zakon.rada.gov.ua/laws/show/4495-17#n3379), [400](https://zakon.rada.gov.ua/laws/show/4495-17#n3395) and [401-1](https://zakon.rada.gov.ua/laws/show/4495-17#n5971) of the Code.

42. Where during review of the application for the extension of the period of registration of an IPR item in the customs register, the SCS SU finds the grounds for the exclusion of the IPR item from the customs register as provided for in [paragraph 44](https://zakon.rada.gov.ua/laws/show/z1034-12#n201) of this section, the above IPR item shall be excluded from the customs register.

43. The SCS SU shall, not later than on the next business day, notify the applicant of the extension of the period of registration of an IPR item in the customs register by a letter in a paper form or in the form of a scanned copy, by means of electronic communication, or in an electronic form using the means of information and telecommunication systems of the State Customs Service, in compliance with the requirements of legislation on information protection, electronic trust services and electronic document flow.

44. An IPR item shall be excluded from the customs register:

based on the applicant’s application;

based on the court judgement;

in case of expiration or early termination of the period of legal protection of an IPR item registered in the customs register;

in case of full or partial transfer of rights to an IPR item registered in the customs register, which affects the legal grounds for an IPR item’s registration in the customs register, including availability of the necessary scope of rights to take action aimed at the protection of property rights to the IPR item;

in case of expiry of the period of registration of an IPR item in the customs register;

in case of discovery of unreliable and/or incomplete information and/or inconsistent information entered in the customs register based on the information and/or documents provided by the applicant in his/her application for the registration of an IPR item in the customs register, in the documents attached to it, including information and/or documents provided at the request of the SCS SU, and also provided by amending and/or supplementing information on the registered IPR item and/or the application for extension of the period of registration of an IPR item in the customs register;

in case of systemic (three or more times during the year) failure to provide documents and/or information in accordance with [paragraph 32](https://zakon.rada.gov.ua/laws/show/z1034-12#n176) of this section to the SCS SU;

in case of non-reimbursed costs in respect of that IPR item, associated with the storage of goods whose customs has been suspended in accordance with [Articles 399](https://zakon.rada.gov.ua/laws/show/4495-17#n3379), [400](https://zakon.rada.gov.ua/laws/show/4495-17#n3395) and [401-1](https://zakon.rada.gov.ua/laws/show/4495-17#n5971) of the Code;

in case of systemic (three or more times during the year) failure to provide responses to the notices of the customs authorities sent in accordance with [paragraph 3](https://zakon.rada.gov.ua/laws/show/4495-17#n3382) of Article 399 and/or paragraph 7 of [Article 401-1](https://zakon.rada.gov.ua/laws/show/4495-17#n5971) of the Code;

in case of the use by the right holder of the information received from the customs authorities for purposes not related to the application of facilitation measures.

45. The SCS SU shall notify the applicant of the refusal to register an IPR item in the customs register or exclusion of the IPR item from the customs register in writing (on a paper or electronic document), giving a reasoned substantiation of the reasons for such refusal or exclusion.

III. The Procedure for filling in the fields of an application for the registration of an IPR item in the customs register or an application for an extension of the period of an IPR item’s registration in the customs register

1. The application for the registration of an IPR item in the customs register and the application for an extension of the period of registration of an IPR item in the customs register (hereinafter referred to as “the applications”) shall be filled out in Ukrainian.

If any original writing of the name of an IPR item is in a language using the Latin alphabet, such name shall be indicated in Latin letters.

2. No corrections, erasures or crossing outs shall be allowed in the applications.

3. If the field of the application is marked with a “(\*)”, the items of that field, which are also marked with a “\*” mark, shall be filled in by the applicant on the mandatory basis.

If the field of the application is not marked with “(\*)”, the decision to fill it in shall be made by the applicant. In case of such decision, all items of that field marked with “(\*)” shall be filled in by the applicant on the mandatory basis.

4. If the field contains several items marked with a (+) sign, at least one of these items must be filled in.

5. Fields and items marked “for official use” shall not be filled in by the applicant.

6. In case of submitting an application in a paper form, the applicant shall, after the name of the application, by ticking an "x" in the corresponding cell of the field, note that this copy is a copy for the customs authority or a copy for the right holder.

7. If there is not enough space to enter the information in the field of the application, such information shall be indicated in the appendix to the corresponding field.

In annex, such information is noted according to the structure of the items of the corresponding field.

8. The field "for official use", which is not numbered, shall be filled in by an official of the SCS SU by indicating the date of registration and the registration number of the corresponding application submitted in a paper form or in the form of a scanned copy by means of electronic communication.

9. Fields and items of the application form for registration of an IPR item in the customs register shall be filled in in compliance with the following requirements:

1) data on the applicant shall be entered in field 1:

full name of a legal entity of first and last name of a natural person / individual entrepreneur;

location of a legal entity or residential address of a natural person / individual entrepreneur (country, postal code, address);

USREOU code / taxpayer registration card number or series (if any) and number of passport (for individuals who due to their religious convictions refuse to accept a taxpayer registration card number in accordance with law, and for non-residents);

contact telephone, fax, e-mail, website.

Where the application for registration of an IP item in the customs register is submitted through a representative authorised by the right holder, field 1 shall contain information about the right holder, and field 3 shall contain information about his/her representative;

2) in field 2, by ticking an “x” mark in the corresponding cell, the purpose of the application shall be indicated, in particular, for the registration of an IPR item in the customs register (in accordance with [Article 398](https://zakon.rada.gov.ua/laws/show/4495-17#n3371) of the Code) or for the extension of the suspension of customs clearance of goods (according to [Article 400](https://zakon.rada.gov.ua/laws/show/4495-17#n3395) of the Code);

3) field 3 shall be filled in where the right holder submits an application through his/her authorised representative.

Enter the following information on the representative in this field:

first and last name;

taxpayer registration card number or series (if any) and number of passport (for individuals who due to their religious convictions refuse to accept a taxpayer registration card number in accordance with law, and for non-residents);

address for correspondence (country, postal code, address);

contact telephone, fax, e-mail;

4) in field 4, the type (types) of the IPR item(s) for which the application is being submitted, shall be indicated by ticking an “X” in the corresponding cell;

5) in field 5, information on the natural person authorised to interact with the customs authorities on issues related to the facilitation of the protection of the right holder’s property rights to the IPR item, for which the application is submitted, shall be indicated.

Enter the following information in this field:

first and last name;

address for correspondence (country, postal code, address);

contact telephone, fax, e-mail.

Where it is necessary to indicate more than one person authorised to interact with the customs authorities on issues related to the facilitation of the protection of the right holder’s property rights to the IPR item, an annex containing information on the above persons shall be attached to the application;

6) in field 6, information on the natural person authorised to interact with the customs authorities on issues related to the facilitation of the protection of the right holder’s property rights to the IPR item, for which the application is submitted, shall be indicated.

This field shall be filled in where the person authorised to identify goods is other that the person authorised by the right holder to interact with the customs authorities on issues related to the facilitation of the protection of the right holder’s property rights to the IPR item, for which the application is submitted.

If the field is not filled in, it is assumed that the person authorised to identify goods is the person specified in field 5.

Enter the following information in this field:

first and last name;

address for correspondence (country, postal code, address);

contact telephone, fax, e-mail.

Where it is necessary to indicate more than one person authorised to identify goods, an annex containing information on the above persons shall be attached to the application;

7) in field 7, information on the IPR item(s), for which the application is submitted, shall be indicated, where:

“No.” — the number of the IPR item, for which the application is submitted, shall be entered;

“IPR item” — type of an IPR item (by specifying in brackets the corresponding acronym of the IPR item from field 4 of the application), its name (according to the title protection);

“Registration number” — name and registration number of the title protection;

"Registration date” — the date of registration of the IPR item according to the submitted title protection;

“Registration expiry date” — the date of expiry of the registration of the IPR item according to the submitted title protection;

"Goods containing an IPR item” — indicate the type(s) of goods (e.g. clothes, shoes, toys, mobile phones, car spare parts, medicines, etc.) that contain the IPR item for which the application is submitted, and regarding which the applicant has reason to believe that during their movement across the customs border of Ukraine, his/her IPR are infringed or may be infringed.

If it is necessary to use additional lines to indicate the relevant information, an appendix shall be used.

In field 7, the period for which the applicant wishes to register the IPR item in the customs register shall be indicated by ticking an “x” in the corresponding cell (6 months or 1 year) or by specifying a different period in the corresponding item of the field;

8) field 8 shall be filled in where the applicant seeks non-application of facilitation measures or other actions as provided for by law in relation to a certain minimum number or value of goods.

In that case, in this field, the applicant shall indicate the minimum number of goods in pieces or in another units of measurement (e.g. 1 piece, 2 pairs, 3 litres, etc.) or the minimum invoice value (in EUR) of the said goods to which facilitation measures or other actions as provided for by law will not apply;

9) Field 9 shall be filled in where the applicant seeks application of measures aimed at suspension of customs clearance and abolition of small batches of goods moved (forwarded) across the customs border of Ukraine by international mail and expedited shipments in accordance with [Article 401-1](https://zakon.rada.gov.ua/laws/show/4495-17#n5981) of the Code, and gives his/her consent thereto.

The applicant shall indicate the above consent and familiarisation with the requirements and obligations as provided for in [Article 401-1](https://zakon.rada.gov.ua/laws/show/4495-17#n5971) of the Code by ticking an “x” in the corresponding cells of field 9;

10) in fields 10–16 information on the original goods containing the IPR item, for which the application is submitted, shall be indicated.

The above information can be marked by the applicant as information with limited access by ticking an “x” in the “restricted access” cell in fields 10–16.

If it is necessary to use additional lines to indicate the relevant information in fields 10–16, appendices with the appropriate numbering to be attached to the application shall be used.

The following shall be indicated on field 10:

the IPR item’s number;

description of original goods containing an IPR item;

their articles (where available, optionally);

model (where available, optionally);

product code under [UKT ZED](https://zakon.rada.gov.ua/laws/show/584%D0%B0-18#n3) (product subcategory (ten characters)):

The above information, together with a photographic image, shall be provided by the applicant for each individual type of goods;

11) in field 11, a description of the characteristic (typical) signs placed directly on the original goods, including markings, labels, protective elements, holograms, stickers, barcodes; at the same time, the locations of such characteristic (typical) signs on the goods are indicated and their photographic images are provided;

12) in field 12, information on the manufacturer(s) of the original goods shall be indicated: the name of the manufacturer, its location (country, address);

13) in field 13, information on participants of foreign economic activity conducting transactions with original goods: importers (consignees), exporters (consignors), carriers, etc., shall be indicated.

Information on each participant of foreign economic activity shall be indicated separately:

role (e.g. importer, exporter, etc.)

full name of a legal entity of first and last name of a natural person / individual entrepreneur; location of a legal entity or residential address of a natural person / individual entrepreneur (country, postal code, address);

USREOU code / taxpayer registration card number or series (if any) and number of passport (for individuals who due to their religious convictions refuse to accept a taxpayer registration card number in accordance with law, and for non-residents), or EORI number (for economic operators having an EORI number);

14) in field 14, information on customs clearance of the goods and their distribution shall be indicated:

checkpoints across the customs border of Ukraine, through which original goods are moved, and customs authorities that exercise customs clearance of such goods;

the countries of departure of the original goods, the mode of their transportation (road, air, sea, rail, etc.), transport routes;

places of storage of original goods, places of their shipment, unloading, stockpiling, etc.;

15) in field 15, information on packing of the original goods shall be indicated:

packing name and code (in accordance with the Classifier of Packing Types as approved by the central executive authority formulating and implementing public policy in the sphere of finance);

characteristic (typical) signs of packing (e.g. markings, labels, protective elements, holograms, stickers, barcodes), with indication of the locations of such characteristic signs on the package;

specific features of the packing design (colour, shape), including its photographic image (if available);

number of items per packing unit;

16) in field 16, information on documents that accompany original goods shall be indicated: brochures, manuals, warranty documents, specifications, certificates, etc., as well as their characteristic features (language, font, colour, printing quality, etc.);

17) in fields 17-24 information on the goods suspected of infringing IPR, counterfeit goods, pirated goods, etc. shall be indicated.

The applicant shall provide information known to him/her on the above goods containing the IPR item for which the application is submitted.

The above information can be marked by the applicant as information with restricted access by ticking an “x” in the “restricted access” cell in fields 17–24.

If it is necessary to use additional lines to indicate the relevant information in fields 17–24, the applicant shall indicate that information in the appendices to be attached to the application, by reference to the appropriate items in the relevant field.

In field 17, the IPR item’s number and description of the goods suspected of infringing IPR, counterfeit, pirated goods and containing the IPR item, for which the application is submitted, their product code according to [UKT ZED](https://zakon.rada.gov.ua/laws/show/584%D0%B0-18#n3) and the value shall be indicated.

The above information, together with a photographic image, shall be provided by the applicant for each individual type of goods;

18) in field 18, a description of the characteristic (typical) signs placed directly on the goods suspected of infringing IPR, counterfeit, pirated goods, including markings, labels, protective elements, holograms, stickers, barcodes; at the same time, the locations of such characteristic (typical) signs on the goods are indicated and their photographic images are provided (if available);

19) in field 19, information on the manufacturer of goods suspected of infringing IPR, counterfeit, pirated goods shall be indicated: the name of the manufacturer, its location (country, address);

20) in field 20, information on participants of foreign economic activity conducting transactions with goods suspected of infringing IPR, counterfeit, pirated goods: importers (consignees), exporters (consignors), carriers, etc., shall be indicated.

Information on each participant of foreign economic activity shall be indicated separately:

role (e.g. importer, exporter, etc.)

full name of a legal entity of first and last name of a natural person / individual entrepreneur; location of a legal entity or residential address of a natural person / individual entrepreneur (country, postal code, address);

USREOU code / taxpayer registration card number or series (if any) and number of passport (for individuals who due to their religious convictions refuse to accept a taxpayer registration card number in accordance with law, and for non-residents), or EORI number (for economic operators having an EORI number);

21) in field 21, information on customs clearance of the goods suspected of infringing IPR, counterfeit goods, pirated goods, and on their distribution shall be indicated.

checkpoints across the customs border of Ukraine, through which goods suspected of infringing IPR, counterfeit and pirated goods are moved, and customs authorities that exercise customs clearance of such goods;

the countries of departure of the goods suspected of infringing IPR, counterfeit and pirated goods, the mode of their transportation (road, air, sea, rail, etc.), transport routes;

places of storage of goods suspected of infringing IPR, counterfeit and pirated goods, places of their shipment, unloading, stockpiling, etc.;

22) in field 22, information on the packing of goods suspected of infringing IPR, counterfeit, pirated goods shall be indicated:

packing name and code (in accordance with the Classifier of Packing Types as approved by the central executive authority formulating and implementing public policy in the sphere of finance);

characteristic (typical) signs of packing (e.g. markings, labels, protective elements, holograms, stickers, barcodes), with indication of the locations of such characteristic (typical) signs on the package;

specific features of the packing design (colour, shape), including its photographic image (if available);

number of items per packing unit;

23) in field 23, information on documents that may accompany goods suspected of infringing IPR, counterfeit, pirated goods shall be indicated: brochures, manuals, warranty documents, specifications, certificates, etc., as well as their characteristic features (language, font, colour, printing quality, etc.);

24) in column 24, the applicant may provide any additional information about goods suspected of infringing IPR, counterfeit, pirated goods, including more detailed information about the shipments of such goods, their sale in Ukraine and the persons involved in their movement across the customs border of Ukraine, etc.;

25) field 25 contains the obligation that the applicant undertakes by affixing his/her own signature in field 26 in the case of submitting an application in a paper form or in the form of a scanned copy by means of electronic communication, or by attaching a qualified electronic signature — in case of submitting an application in electronic form using information and telecommunication systems of the State Customs Service, in compliance with the requirements of legislation on information protection, electronic trust services and electronic document flow.

It is not allowed to make changes, additions or clauses in field 25;

26) in field 26, the applicant shall indicate the date, his/her first and last name and affix his/her own signature (handwritten signature in case of submitting an application in a paper form or in the form of a scanned copy by means of electronic communication, or shall attach a qualified electronic signature — in case of submitting an application in electronic form using information and telecommunication systems of the State Customs Service, in compliance with the requirements of legislation on information protection, electronic trust services and electronic document flow.

27) in field 27, the following information shall be indicated:

on the registration of the IPR item(s) in the customs register by ticking an “x” in the corresponding cell of the field, specifying the date, affixing signature, first and last name of the official, and the registration expiry date of the IPR item(s); or

on the refusal to register the IPR item(s) in the customs register by ticking an “x” in the corresponding cell of the field, specifying the date, affixing signature, first and last name of the official; or

on acceptance or non-acceptance of the application for facilitation of the protection of an IPR item in accordance with [Article 400](https://zakon.rada.gov.ua/laws/show/4495-17#n3395) of the Customs Code of Ukraine by ticking an “x” in the corresponding cell of the field, specifying the date, affixing signature, first and last name of the official.

10. Fields and items of the application for extension of the period of registration of an IPR item in the customs register shall be filled in in compliance with the following requirements:

1) data on the applicant shall be entered in field 1:

full name of a legal entity of first and last name of a natural person / individual entrepreneur;

location of a legal entity or residential address of a natural person / individual entrepreneur (country, postal code, address);

USREOU code / taxpayer registration card number or series (if any) and number of passport (for individuals who due to their religious convictions refuse to accept a taxpayer registration card number in accordance with law, and for non-residents);

contact telephone, fax, e-mail, website.

Where the application for extension of the period of registration of an IPR item in the customs register is submitted through a representative authorised by the right holder, field 1 shall contain information about the right holder, and field 2 shall contain information about his/her representative;

2) field 2 shall be filled in where the right holder submits an application through his/her authorised representative.

Enter the following information on the representative in this field:

first and last name;

taxpayer registration card number or series (if any) and number of passport (for individuals who due to their religious convictions refuse to accept a taxpayer registration card number in accordance with law, and for non-residents);

address for correspondence (country, postal code, address);

contact telephone, fax, e-mail;

3) in field 3, the period for which the applicant wishes to extend registration of the IPR item in the customs register shall be indicated by ticking an “x” in the corresponding cell (6 months or 1 year) or by specifying a different period in the corresponding item of the field;

Also, in this field, by ticking an “x” in the corresponding cell, the applicant shall:

indicate the absence of any changes in, and/or additions to, the information regarding the registered IPR item(s) in the customs register; or

or inform about the existence of changes in, and/or additions to, such information and shall provide it in the annex;

4) in field 4, the applicant shall indicate the date, first and last name and affixes his/her signature (handwritten signature in the case of submitting an application in a paper form or in the form of a scanned copy by means of electronic communication or shall attach a qualified electronic signature in the case of submitting an application in electronic form using the information and telecommunication systems of the State Customs Service in compliance with the requirements of legislation in the areas of information protection, electronic trust services and electronic document flow);

5) in field 5, the following information shall be indicated:

on the extension of registration of the IPR item(s) in the customs register or on the extension of registration of individual IPR items, specifying the date, placing signature, first and last name of the official, and the registration expiry date of the IPR item(s); or

on the refusal to extend registration of the IPR item(s) in the customs register by ticking an “x” in the corresponding cell of the field, specifying the date, placing signature, first and last name of the official.

IV. Publishing information from the customs register

1. The SCS shall ensure publishing information on the IPR items registered in the customs register and weekly updates of the above information on its official website.

2. The following information shall be subject to publishing:

1) name of an IPR item according to the protection title;

2) number in the customs register;

3) date of registration of the IPR item in the customs register,

4) registration expiry date for an IPR item in the customs register;

5) name and details of the protection title;

6) right holder’s title or first and last name;

7) type(s) of goods containing an IPR item;

8) first and last name of the person authorised by the right holder to interact with the customs authorities on issues related to the facilitation of the protection of the right holder’s property rights to the IPR item, his/her contact telephone and email.

Director of the Tax,
Customs Policy
and Accounting Methodology
Department M.O. Chmeruk

Annex 1
to the Procedure for registration of intellectual property items protected by law in the customs register
(the third indent, paragraph 2, section I)

|  |
| --- |
| **APPLICATION** **for facilitation of the protection of intellectual property item belonging to the right holder** |
|   copy for customs authority  copy for right holder |
| **1**(\*)**. Applicant**Title or first and last name (\*):Address (\*):Postal Code (\*):Country (\*):USREOU code (+):Taxpayer registrationcard number (+):Passport series and number (+):Contact telephone (\*):E-mail (\*):Fax:Website: | **2**(\*)**. Statement is submitted in accordance with:**Art. 398 of the Customs Code of Ukraine   Art. 400 of the Customs Code of Ukraine    |
| **For official use**Date of receipt of application:Application registration number |
| **3. Representative**First and last name (\*):Taxpayer registrationcard number (+):Passport series and number (+):Address (\*):Postal Code (\*):Country (\*):Contact telephone (\*):E-mail (\*):Fax: |
|

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| --- | --- |
| **4(**\***). Intellectual property item**  Trade mark registered in Ukraine (NTM)  Internationally registered trade mark (ITM)  Industrial design registered in Ukraine (NID)  Internationally registered industrial design (IID)  Copyright and related rights (copyright)  Invention (I)  Plant variety (PV)  Semiconductor layout design (SLD) |  Geographical indication (GI):  for agricultural products and foodstuffs  for wines  for wine-based flavoured drinks  for alcoholic beverages  for other products defined in the EU-Ukraine Association Agreement |

 |
| **5(**\***). Person authorised to deal with matters related to facilitation of the protection of intellectual property rights**First and last name (\*):Address (\*):Postal Code (\*):Country (\*):Contact telephone (\*):E-mail (\*):Fax:Annex \_\_\_\_\_ (where necessary) |
| **6. Person authorised to identify goods**First and last name (\*):Address (\*):Postal Code (\*):Country (\*):Contact telephone (\*):E-mail (\*):Fax:Annex \_\_\_\_\_ (where necessary) |
| **7(**\***). List of intellectual property items for which the application is submitted** |
| No. | Intellectual property item | Taxpayer registration | Date of registration | Registration expiry date | Goods containing an intellectual property item |
|   |   |   |   |   |   |
|   |   |   |   |   |   |
|   |   |   |   |   |   |
| Period of registration (\*):I kindly ask you to extend registration for the period of:  6 months  1 year  \_\_\_ monthsAnnex \_\_\_\_\_ (where necessary) |
| **8. Quantitative and cost limits to application of measures to facilitate the protection of the protection of intellectual property rights**I kindly ask you not to take measures to facilitate the protection of intellectual property rights in relation to goods suspected of infringing intellectual property rights, provided that their number does not exceed \_\_\_\_\_\_\_ or the invoice value does not exceed \_\_\_\_\_\_\_. |
| **9. Small batches of goods moved by international mail and expedited shipments**  (\*) I hereby give my consent to suspension of customs clearance and abolition of small batches of goods moved (forwarded) across the customs border of Ukraine by international mail and expedited shipments, in accordance with Article 4011 of the Customs Code of Ukraine.  (\*) I have been familiarised with the requirements and obligations as provided for in paragraph 10 of Article 401 of the Customs Code of Ukraine |
| **Original goods** |
|

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| --- | --- |
| **10**(\*)**. Information on the goods** |   restricted access |

Intellectual property item No. (\*):

|  |  |
| --- | --- |
| Description of goods (\*):Product code under UKT ZED (\*): |   |
|   |   see Annex \_\_\_ |

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| --- | --- |
| **11**(\*)**. Characteristic (typical) signs of the goods** |   restricted access |
| Description (\*): |   |
|   |   see Annex \_\_\_ |

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| --- | --- |
| **12**(\*)**. Manufacturer of the goods** |   restricted access |
| Item name (\*):Address:Country (\*): |   |
|   |   see Annex \_\_\_ |

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| --- | --- |
| **13. Participants of foreign economic activity** |   restricted access |
| Role (\*):Item name (\*):Address:Country (\*):USREOU code (+):Taxpayer registrationcard number (+):Passport series and number (+):EORI (+): |   |
|   |   see Annex \_\_\_ |

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| **14. Customs clearance of the goods and their distribution** |   restricted access |
|   |   see Annex \_\_\_ |

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| --- | --- |
| **15**(\*)**. Packing**Type of packing (\*)Number of items per packing unit:Description of packing (\*): |   restricted access |
|   |   see Annex \_\_\_ |

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| --- | --- |
| **16. Shipping documentation**Type of the document:Description: |   restricted access |
|   |   see Annex \_\_\_ |

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| **Goods suspected of infringing intellectual property rights** |
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| --- | --- |
| **17. Information on the goods**Intellectual property item No. (\*):Description of goods (\*): |   restricted access |
| Product code under UKT ZED (\*):Value: |   |
|   |   see Annex \_\_\_ |

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| **18. Characteristic (typical) signs of the goods**Description (\*): |   restricted access |
|   |   see Annex \_\_\_ |

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| --- | --- |
| **19. Manufacturer of the goods**Item name (\*):Address:Country (\*): |   restricted access |
|   |   see Annex \_\_\_ |

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|

|  |  |
| --- | --- |
| **20. Participants of foreign economic activity**Role (\*):Item name (\*):Address:Country (\*):USREOU code (+):Taxpayer registrationcard number (+):Passport series and number (+):EORI (+): |   restricted access |
|   |   see Annex \_\_\_ |

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| **21. Customs clearance of the goods and their distribution** |   restricted access |
|   |   see Annex \_\_\_ |

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| --- | --- |
| **22. Packing**Type of packing (\*)Number of items per packing unit:Description of packing (\*): |   restricted access |
|   |   see Annex \_\_\_ |

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| --- | --- |
| **23. Shipping documentation**Type of the document:Description: |   restricted access |
|   |   see Annex \_\_\_ |

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| --- | --- |
| **24. Additional information** |   restricted access |
|   |   see Annex \_\_\_ |

 |
| **25(**\***). Obligations**By putting my signature, I hereby undertake to:notify, without delay, the customs authority to which the application for facilitation of the protection of the property rights to the intellectual property item in accordance with Articles 398 or 400 of the Customs Code of Ukraine was submitted, of:termination or invalidation of intellectual property rights, as well as of the partial or full transfer of rights to the intellectual property item whose data is entered in the customs register of intellectual property items protected by law;any changes in, and/or additions to, the information specified in this application and attachments hereto (if submitted), and in the documents submitted together with the application;forward to the structural unit of the customs authority to which the application for facilitation of the protection of the property rights to the intellectual property item in accordance with Articles 398 or 400 of the Customs Code of Ukraine was submitted:any changes in, and/or additions to, the information on the original goods, including their characteristic (typical) signs, manufacturers of original goods, packing, etc.;information necessary for the customs authorities to analyse, detect and assess risks related to the infringement of intellectual property rights, including information necessary for the identification of original goods and goods suspected of infringing intellectual property rights.I have been familiarised with the requirements of the paragraphs 5 and 6 of Article 397, paragraph 10 of Article 399, paragraph 5 of Article 401, paragraph 10 of Article 401 1, paragraph 1 of Article 402 of the Customs Code of Ukraine and the Procedure for registration of intellectual property items protected by law in the customs register as approved by the Order of the Ministry of Finance of Ukraine No. 648 of 30 May 2012.I undertake to reimburse the costs of customs authorities related to the suspension of customs clearance of goods on suspicion of infringement of my intellectual property rights, as defined by Article 397 of the Customs Code of Ukraine, and with the organization of the abolition of goods in accordance with Articles 401 and 4011 of the Customs Code of Ukraine.I hereby confirm that all information specified in the application and annexes hereto (if submitted) are accurate and complete. |
| **26(**\***). Signature**

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| --- | --- | --- |
| \_\_/\_\_/\_\_\_\_\_\_(date) | \_\_\_\_\_\_\_\_\_\_\_\_(signature) | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(first and last name) |

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| **27. Result of the application review** | **For official use** |

  Intellectual property rights item(s) has/have been registered in the customs register of intellectual property items protected by law  Intellectual property rights item(s) has/have been partially registered in the customs register of intellectual property items protected by law (list of registered intellectual property items is attached hereto)  Registration of intellectual property rights item(s) in the customs register of intellectual property items protected by law has been deniedRegistration expiry date as regards intellectual property rights item(s) in the customs register of intellectual property items protected by law: \_\_\_/\_\_\_/\_\_\_\_\_                                                                                                                                                                                                (date)

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| --- | --- | --- |
| \_\_/\_\_/\_\_\_\_\_\_(date) | \_\_\_\_\_\_\_\_\_\_\_\_(signature) | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(first and last name) |

  Application for facilitation of the protection of the property rights to the intellectual property item in accordance with Article 400 of the Customs Code of Ukraine has been accepted  Application for facilitation of the protection of the property rights to the intellectual property item in accordance with Article 400 of the Customs Code of Ukraine has been rejected

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| --- | --- | --- |
| \_\_/\_\_/\_\_\_\_\_\_(date) | \_\_\_\_\_\_\_\_\_\_\_\_(signature) | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(first and last name) |

 |

Annex 2
to the Procedure for registration of intellectual property items protected by law in the customs register
(the fourth indent, paragraph 2, section I)

|  |
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| **APPLICATION** **for extension of the period of registration of an intellectual property item** **in the customs register of intellectual property items protected by law** |
|   copy for customs authority  copy for right holder |
| **1**(\*)**. Applicant**Title or first and last name (\*):Address (\*):Postal Code (\*):Country (\*):USREOU code (+):Taxpayer registrationcard number (+):Passport series and number (+):Contact telephone (\*):E-mail (\*):Fax:Website: |

|  |
| --- |
| **For official use**Date of receipt of application:Application registration number |

  |
| **2. Representative**First and last name (\*):Taxpayer registrationcard number (+):Passport series and number (+):Address (\*):Postal Code (\*):Country (\*):Contact telephone (\*):E-mail (\*):Fax: |
| **3(**\***).** I kindly request an extension of the period of registration of the intellectual property rights item(s) has/have been registered in the customs register of intellectual property items protected by law under No. \_\_\_\_\_\_\_, for a duration of:  6 months  1 year  \_\_\_ months  (\*) I hereby confirm that as of the date of submission of this application, there are no changes in, and/or additions to, information and/or documents entered in the customs register of intellectual property items protected by law as regards the intellectual property rights item(s) registered under above registration number, or  (\*) I hereby provide the following information to be entered in the customs register of intellectual property items protected by law as regards the intellectual property rights item(s) registered under above registration number (attached hereto)See Annex \_\_\_\_\_\_ |
| **4(**\***). Signature**

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| --- | --- | --- |
| \_\_/\_\_/\_\_\_\_\_\_(date) | \_\_\_\_\_\_\_\_\_\_\_\_(signature) | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(first and last name) |

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| **5. Result of the application review** | **For official use** |

  Period of registration of the intellectual property item(s) in the customs register of intellectual property items protected by law has been extended  Period of registration of the intellectual property items in the customs register of intellectual property items protected by law has been extended as regards an individual intellectual property item/ the individual intellectual property items (list is attached hereto)

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| --- | --- | --- |
| \_\_/\_\_/\_\_\_\_\_\_(date) | \_\_\_\_\_\_\_\_\_\_\_\_(signature) | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(first and last name) |

Registration expiry date for the intellectual property item(s): \_\_\_/\_\_\_/\_\_\_\_\_\_\_\_  Extension of the period of registration of the intellectual property item(s) in the customs register of intellectual property items protected by law has been denied

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| \_\_/\_\_/\_\_\_\_\_\_(date) | \_\_\_\_\_\_\_\_\_\_\_\_(signature) | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(first and last name) |

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