

# HOW TO FILE AN APPLICATION FOR THE REGISTRATION OF AN INTELLECTUAL PROPERTY RIGHTS (IPR) OBJECT IN THE CUSTOMS REGISTER

The State Customs Service of Ukraine is the only public authority that facilitates the protection of intellectual property rights (IPR) for rights holders at the customs border of Ukraine. Customs performs this function based on the application submitted by rights holders and also on its own initiative.

When filing an application to register an IPR object in the Customs Register, the rights holder should contact Customs with a request to ensure the protection of their IPR and provide all necessary information for identifying the IPR objects they wish to protect. The application may be filed only if the IPR object is subject to legal protection within the territory of Ukraine.



## HOW TO FILE AN APPLICATION TO THE CUSTOMS REGISTER

Prepare a package of documents to be submitted along with the application and scan their copies, including, but not limited to:

- the protection title,
- a description of the IPR object,
- a description and photographic images of each distinct type of original products containing such IPR object,
- and a power of attorney for the representative (if the application is not submitted by the right holder).

**!** When preparing the package of documents, it is necessary to ensure that the information and data to be entered in the application are accurate and complete.

The application can be submitted either in paper or electronic form.



Paper-based and electronic forms are identical.

### PAPER-BASED APPLICATION:

1. Complete application form<sup>1</sup>, as referenced in Annex 1 of the Order of the Ministry of Finance No. 282.



2. Send the completed application to the following postal address: 11-F Dehtiarivska Street, Kyiv, 04119.

### ELECTRONIC APPLICATION:

1. Visit <https://cabinet.customs.gov.ua/login/>.

2. Log in to your personal account using a qualified electronic signature in the "Single Window" on the website of the State Customs Service:

«For Businesses» →

«My Applications» →

«Application for Facilitating IPR Protection» →

«Create New» →

Fill in the form.

<sup>1</sup> - Under point 2 of Section II of the Procedure approved by Order No. 648 of the Ministry of Finance dated 30.05.2012 (as amended by Order No. 282 of the Ministry of Finance dated 09.06.2020):



## WHAT SHOULD BE INCLUDED IN THE APPLICATION

### DATA ON INDIVIDUALS AND LEGAL ENTITIES

For each of them

<b>Applicant</b>	Information about the right holder	<ul style="list-style-type: none"> <li>• Name/family name, given name</li> <li>• Address</li> <li>• Contact phone number</li> <li>• E-mail</li> <li>• USREOU code</li> <li>• Registration number of the tax payer record card*</li> <li>• Passport No. and series*</li> </ul>
<b>Representative</b>	If the right holder files the application: <ul style="list-style-type: none"> <li>• <b>Personally</b> - information in this section is not required</li> <li>• <b>Through a representative</b> - The representative enters their own information</li> </ul>	
<b>A person authorised to deal with matters related to facilitation of the protection of IPR</b>	A person authorised by the right holder to represent them (technical, legal representative, etc.)	
<b>A person authorised to identify the products</b>	A person authorised by the right holder to provide the customs authorities with the conclusions of the products identification	

\* - Additionally for individuals

### ABOUT THE INTELLECTUAL PROPERTY OBJECT

<b>IPR object</b>	One of the 14 suggested options (e.g., trademark registered in Ukraine (NTM), internationally registered trade mark (ITM), invention (I), plant variety (PV), geographical indication (GI) or others)
<b>List of IPR objects for which the application shall be submitted</b>	For each option: Name and registration No. of the protection title, registration date, expiry date of registration, products containing the IPR objects that are moved across the customs border of Ukraine
<b>Period of registration</b>	Period for which the right holder requests the customs authorities to facilitate the protection of property rights for the IPR object (1 to 12 months)

## INFORMATION ON THE ORIGINAL PRODUCTS

<b>Information on the products</b>	A detailed description of the original products and their UKT ZED (Ukrainian Classifier of Foreign Economic Activities) codes (10 characters), photos of the products from different angles (front-facing, side-view and other detailed images) showing IPR objects and other identifying details
<b>Characteristic (typical) signs of the products</b>	It is important to provide as much detail as possible regarding the identification of the original products (e.g., presence of labels, marks, holograms, stickers, special symbols, barcodes, fonts, and the location of these signs, including covert ones)
<b>Packaging</b>	Photos of primary and secondary packaging
<b>Manufacturer of the products</b>	A complete list of entities manufacturing the original products and the country of manufacture
<b>Participants of foreign economic activity</b>	Authorised importers/exporters of the original products to/from Ukraine
<b>Customs clearance of the products and their distribution</b>	Distribution chains for the supply of the original products to Ukraine (countries, carriers, etc.). Customs potentially exercising customs clearance of the original products

## INFORMATION ON THE PRODUCTS SUSPECTED OF INFRINGING IPR

Provided within the scope defined for the original products in the section "Information on the Original Products"

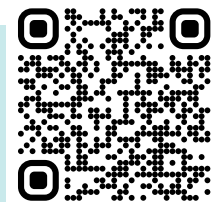
This is not mandatory but helps in identifying counterfeit products

**NB!**

**The application also includes information on commitments under the Customs Code of Ukraine**

**IT IS IMPORTANT TO STUDY THE PROCEDURE FOR REGISTRATION IN THE CUSTOMS REGISTER CLOSELY**

In English: <https://customs.gov.ua/en/intelektual-na-vlasnist-ipr#scrollTop-0> → Regulatory and legal framework → Order of the Ministry of Finance of Ukraine N° 648 as of 30.05.2012



As of December 2023