



News – August 03, 2022

RUSSIAN TWIST IN THE PROTECTION OF INDUSTRIAL PROPERTY RIGHTS



The Russian Court of Appeal has brought order to a complex case that began last March, when the English company Entertainment One UK Ltd, owner of the copyrights to the Peppa Pig cartoon, sued a Russian company before the Russian Court of Kirov, claiming the illegitimate use of its trademark and intellectual property rights due to the realization, by the Russian Company, of an unauthorized version of the above mentioned cartoon.

The Russian Court of Appeal overturned the judgment of the Kirov Court in its entirety, ruling that equal protection of intellectual property rights of foreign organizations is guaranteed on the territory of the Russian Federation.

The Russian Kirov Court rejected the appeal of the English Company without at all addressing the legal arguments in support of it, but only in view of the hostility shown by the appellant's country of origin, i.e. the United Kingdom, listed as hostile to Russia. In this regard, we had pointed out in our [previous article](#) the risks of improper use in Russian territory of intellectual property rights (trademarks, patents, models) registered by entities belonging to one of the countries on the Russian blacklist.

The Russian Court of Appeal has, on the other hand, upheld the appeal brought by the English company and awarded it compensation for the numerous infringements of its intellectual property rights perpetrated by the Russian company.

The Court of Appeal also based its decision on the application of international law, pointing out that Russia participates to numerous international treaties on the protection of property rights, including the Madrid Protocol on the Registration and International Protection of Trademarks and the Berne Convention for the Protection of Literary Works.

Thus, the risk of non-protection of intellectual property rights belonging to natural or legal persons residing in, or connected to, foreign countries on the Russian blacklist appears to have receded.

Notwithstanding the judgment of the Russian Court of Appeal, we advise companies to effectively protect their intellectual property rights in the Russian Federation territory by adopting appropriate protection and contracting.

For this purpose Bacciardi Partners remain at your disposal.