Deontological Code for Patent Attorneys in Intellectual Property, discussed at a workshop

On December 13 and 15, the Patent Attorneys in Intellectual Property met at a workshop organized by the EU Project "Support to enforcement of the intellectual property rights”. The workshop was intended to discuss the draft of the Code of Ethics for Patent Attorneys and to share the best practice of the EU Member States in the field.

"*I recommend Patent Attorneys to associate and create a platform for dialogue with attorneys from other countries. Only with getting contacts, attorneys will attract new customers and gain reputation. Patent Attorneys from Moldova must respect their profession and have a proper conduct in the relations with their customers*”, said the Project Expert, Heinz Goddar. According to him, Patent Attorneys are "translators" who translate technical facts and subject matters into a legal language that can be handled by judges and lawyers with "only" legal education, like in a courtroom. "*Moldova needs a clear definition of the requirements for acquiring the status of Patent Attorneys. If this precision exists, attorneys need constant training to strengthen their skills and after it, to promote their services*", the expert added.

According to the Code of Conduct for German Patent Attorneys, an autorized attorney practices a liberal profession with self-determination and in an independent manner. And its activities serve to implement the rule of law. In Germany there is no limit with regard to fees, and all the freedom to set the fee is determined by the relationship between the attorney and the client, so there are different costs for different customers.

An important topic approached at the workshop was the one related to the draft of the Deontological Code for Patent Attorneys in Intellectual Property and its implementation.

"*We have a government decision regulating the work of attorneys in the field of intellectual property, who can work either individually or in professional associations. But a Code of Conduct is required to provide the rules of conduct of attorneys, including collegiality relashionships, and not to define the status assigned to this profession*", says Rodica Popescu, Head of Legal Assistance and Agreements from AGEPI.

The draft of the Code of Ethics represents a summary of the rules of conduct of authorized agents in their professional activity. According to the document, **the authorized agent shall benefit from independence in his activity and must be free from any influence that might result from his / her own interests or those of third parties for whom he / she has been employed. Also, the authorized agent must demonstrate moral integrity, honesty, probity, fairness, sincerity and confidentiality to his client, characteristics that motivate the client's decision to employ him.**

"*It would be a good idea that the Code would also stipulate the success fee with the complementary title, depending on the result or the service, so that we could also have a guarantee*", suggests Ecaterina Socolova, an authorized attorney.

The implementation of the Code of Ethics will strengthen the institution of authorized attorneys; increase their professionalism and establish the general principles of conduct of authorized attorneys in relations with customers, national and international authorities. Currently, according to the Regulation on the activity of Patent Attorneys in Intellectual Property, attorneys perform their duties according to the principles of good faith, honesty, trust and confidentiality.

The professional activity of the authorized attorneys consists in the representation of natural and legal persons under the terms provided by the mandate contract or other contract with analogous content and/or by legal power of attorney of representation and in providing the necessary assistance in the field of protection of intellectual property objects (geographical indications,

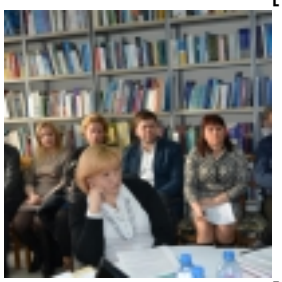
appellations of origin, traditional specialties guaranteed, trademarks, inventions, industrial designs, plant varieties, topographies of integrated circuits).

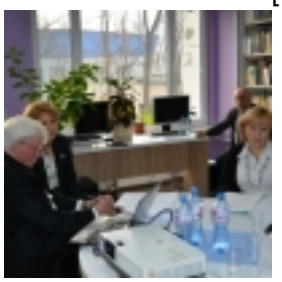
According to the National Register of Authorized Attorneys in Intellectual Property, there are currently 137 authorized attorneys in intellectual property registered in the Republic of Moldova.

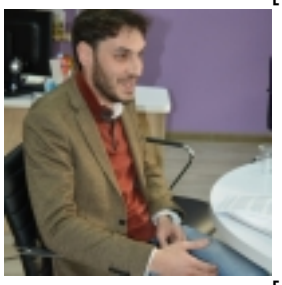
The technical assistance project "Support to enforcement of the intellectual property rights" in the Republic of Moldova is funded by the European Union and is implemented by a Consortium led by Archidata Srl (Italy) together with European Profiles SA (Greece) and Business and Strategies in Europe S.A. (Belgium) for a period of 2 years until November 2018.

For more information please contact Ana-Maria Veverita, Expert on media and communication, veverita@ipr-moldova.net [1].

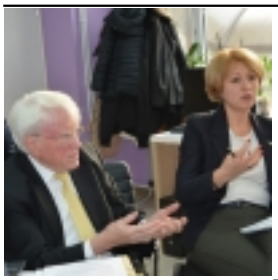

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