

*Capital Legal Service has ‘deep practical knowledge’ of its client’s businesses and adopts a ‘solutions-oriented approach.’* **Chambers & Partners**

**Chambers & Partners and Legal 500** recommend Capital Legal Services as a legal advisor for the companies doing business on the Russian and foreign markets. Capital Legal Services is a leading Russian full-service law firm, providing legal services since 1999. The firm has offices in Moscow, St. Petersburg and Helsinki.

## **INTELLECTUAL PROPERTY AND PROTECTION OF EXCLUSIVE RIGHTS**

Intellectual property is a rapidly advancing, prospective and complicated branch of civil law. Its particular nature has led to the creation of a specialized Intellectual Property Court (2013). The number of companies that appreciate the value of intangible assets and opportunities for commercializing them has increased.

Capital Legal Services provides comprehensive legal support for companies from all industries in creating new intellectual property, launching existing brands on the Russian market, their protection from parallel import and counterfeit goods; in disputable cases that require pre-trial resolution or representation of the rightholder’s interests at the Chamber of Patent Disputes, in court, etc.

The practice was noted by Legal 500 and Chambers Europe.

## **OUR SERVICES**

- Comprehensive legal services on trademark searches and their registration in Russia and foreign countries, entering amendments into the Russian State Trademark Register, renewing trademarks and other actions for maintaining trademark protection
- Developing, analyzing and supporting registration of agreements on disposing over rights to trademarks: license agreements, franchise agreements, agreements on alienation of exclusive rights, etc.
- Monitoring, detecting and restraining infringements of exclusive rights by third parties, including detecting parallel import and counterfeit goods with assistance from the authorities, including customs, police and Federal Service for Surveillance on Consumer Rights Protection and Human Wellbeing (Rospotrebnadzor)
- Registering trademarks in the Russian Customs Intellectual Property Register, support in the course of administrative procedures initiated by customs authorities
- Advising on issues connected with software development and sale, as well as on other issues in the IT sector (advice on entering into agreements for development and commissioning contracts, special features of work done for hire, research and development)
- Consulting and representing clients’ interests in commercial arbitration courts in commercial and other disputes and in the Intellectual Property Court on issues concerning recovery of compensation for unlawful use of intellectual property, early termination of trademark legal protection, disputing decisions of the Federal Service for Intellectual Property on legal protection of trademarks, and on domain disputes
- Legal due diligence investigations of intangible assets, and advice on the transfer of intangible assets

## OUR EXPERIENCE

- Comprehensive protection of a client's rights to a world-renowned brand on the territory of the Russian Federation and at its borders. Capital Legal Services provides a full range of legal services on preventing distribution of counterfeit goods and parallel import. Capital Legal Services represents the client in relations with customs, including issuance of permit documents and letters of consent for import of genuine goods by the client's legitimate contracting parties; issuance of replies to customs in relation to suspended potential counterfeit goods or parallel import and participation in holding infringers liable. Capital Legal Services developed and implemented a strategy for protecting IP rights inside the country, including for establishing facts of counterfeit goods being sold and full support in pre-trial (cease-and-desist letters) and court dispute resolution to terminate infringements and to recover compensation
- Comprehensive analysis of procedure for protecting exclusive rights to a trademark by registering the trademark in the Russian Customs Intellectual Property Register and analysis of all possible risks for the rightholder connected with such registration for a major foreign company
- Comprehensive protection of interests of a major Russian company engaged in entertainment, advertising and PR, including preparation of license agreements for copyrighted items; legal support of administrative cases connected with violation of competition law by third parties; pre-trial dispute resolution, including preparing cease-and-desist letters and holding negotiations with violators of the company's rights to intellectual property; litigation connected with bad faith use of the company's trademarks
- Comprehensive protectability assessment of designations owned by a major Russian food production company. Support of trademark registration under the Madrid System
- Development of a legal position and subsequent successful protection of the client's interests in court in respect to claims against the client on termination of an agreement for transfer of non-exclusive rights to licensed software, maintenance and advisory services, as well as on action for damages
- Comprehensive support of a client's interests regarding distribution of a computer program. Within this project, commissioning contracts for the program were developed in order to allocate rights to intellectual property in relations with the author of the program. An action plan on certification of the completed program was developed for preventing violation of exclusive rights of third parties
- Representation of a client's interests in a transaction on sale of an Internet resource, including transfer of rights to the following items of intellectual property: software products which ensured operation of the web site under different operating systems, databases, domain names, as well as computer programming codes

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