

ADVANT Beiten

LEGAL DIGEST

HEALTHCARE RUSSIA – SEPTEMBER 2025**Русская версия**

We present for your consideration a digest of significant legal news in the field of pharmaceuticals and medical goods in Russia for September 2025.

I. MEDICAL GOODS

1. Changes in legislation and legal regulation

Draft decree expanding the legalisation of parallel imports

The Ministry of Industry and Trade of the Russian Federation ("**Ministry of Industry and Trade**") has prepared a new draft decree which lists specific goods that may be imported into the country without the authorisation of the trademark holders – so-called "legal parallel imports".
[\[1\]](#).

Example of the current regulation: [\[2\]](#).

FEACN EAEU Group	Product name	FEACN code and trademark
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30	Pharmaceutical product	23) 3002 12 000 9 Miltenyi Biotec
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Consequently, today Russian parallel importers can only import products marked with this trademark if the name of the product, customs code and trademark all match (if indicated in the list). Furthermore, as we can see, the list is compiled based solely on word trademarks without any reference to their registration numbers.

The Ministry of Industry and Trade - the developer of the new draft list of goods for parallel import – notes: *"at present the customs authorities do not have the powers to release goods bearing trademarks without letter designations under the parallel import regime"*.^[3]

For this reason, the Ministry of Industry and Trade wants to apply the parallel import regime not only to goods marked with written trademarks, but also with trademarks that are a combination of words and images and image trademarks.

Example of the planned regulation:

Name of the product	FEACN code	Trademark	Registration number of the trademark in the Russian Register of Rospatent (Federal Service for Intellectual Property)
Other instruments and equipment applied in medicine, surgery or veterinary science, including isotope scanning equipment, other electrical equipment and vision testers	9018 90 840 9	TECHNOGYM	491634

The example given here refers to the Russian national word-and-image trademark No. 491634 of the Italian company Technogym SpA.

The following conclusions can be drawn in connection with the planned regulation:

- A larger number of goods of foreign rights holders will end up in the parallel import regime in Russia;
- Goods marked only with international trademarks (the Madrid System) are not included in the list for parallel imports; it only concerns goods marked with Russian national trademarks which are registered by Russia's Federal Service for Intellectual Property (Rospatent);
- The scope of parallel imports has been formally expanded to include medical goods – the Ministry of Industry and Trade plans to include in the list of goods in class 90 of the FEACN EAEU, for example, *"Instruments and equipment [...] medical or surgical; parts and accessories thereof"* and class 9018 90 840 9 of the FEACN EAEU: *"Other instruments and equipment applied in medicine, surgery or veterinary science, including isotope scanning equipment, other electrical equipment and vision testers"*. However, it is clear from an analysis of the trademarks indicated in respect of these codes that for the time being this affects the manufacturers of cars and fitness machines, and not medical goods. Nevertheless, owing to this fact, abuses on the part of parallel importers are possible (false declaration, etc.).

The draft will be under public discussion until 10 October 2025.

Extension of bans and restrictions on the export of medical goods from Russia

A Russian Presidential Decree extended^[4] to 31 December 2027 the effect of a previous Decree^[5] banning and restricting the export of certain goods from Russia.

The lists of products covered by the export bans and restrictions, which include various instruments and devices used in medicine, surgery, dentistry, veterinary science, and other related goods, are given in Russian Government Resolutions No. 311, No. 312, and No. 313 dated 9 March 2022.

EUR 78 million allocated to the purchase of medical goods used in treating cancer

The Russian Government has allocated approximately EUR 78 million in 2026–2027 as a subsidy to Russian regions for the modernisation, upgrading, and refitting of medical goods and other equipment as part of the federal project "Fight against Cancer".^[6]

2. Measures against counterfeit and infringing medical goods

OOO Roche Diagnostics Rus vs E.S. Melnikova, individual entrepreneur

The Intellectual Property Court agreed to consider^[Z] the cassation appeal of E.S. Melnikova against the rulings of lower courts which had granted the claims of OOO Roche Diagnostics Rus (the exclusive licensee of Roche Diagnostics GmbH and F. Hoffmann-La Roche AG, Germany), declared medical goods for *in vitro* diagnostics to be infringing medical goods, banned the respondent from unlawfully using the trademarks of the rights holder, and ordered the respondent to withdraw the medical goods from circulation and have them destroyed.

Consideration of the case is scheduled for 21 October 2025.

OOO Reckitt Benckiser IP vs OOO Versal

A Russian state commercial court – the Commercial Court of the City of Moscow – granted in part the claims of OOO Reckitt Benckiser IP, (the Russian subsidiary of the Dutch company Beleggingsmaatschappij Lomore B.V.) against OOO Versal in the amount of RUB 30,000 (about EUR 300) for infringing on the exclusive rights to Russian trademarks No. 296275 and No. 462950, which are protected, *inter alia*, in respect of prophylactics.

The facts of the case show that the respondent sold goods bearing designations similar to the trademarks of the claimant. This was established during test purchases organised by the claimant in Moscow.

The evidence provided by the claimant included a receipt with data identifying the seller (the respondent), as well as a video recording of the purchase of the disputed goods.

The claimant asserted in court that the medical goods sold by the respondent were not certified and posed increased danger to society through the use of counterfeit goods of ICGS Class 10, that the claimant had suffered reputational damage, that consumers were misled regarding the disputed products, assuming that they were purchasing high-quality licensed goods, and that this created a health risk.

The court agreed with the claimant's arguments and ordered that the respondent pay partial compensation.

One particular aspect of this case is that the rights holder of the trademarks is a Russian subsidiary, and not the foreign rights holder.

The amount of compensation may seem modest – about EUR 300 in this case – but in the fight against counterfeit and infringing goods the most important thing is not the amount of compensation, but rather that the

measures taken be systematic and consistent – this will maximise the benefit to the trademark holder.

II. PHARMACEUTICALS AND NUTRITIONAL SUPPLEMENTS

1. Russian government introduces assessment system regarding the localisation of pharmaceutical products

Resolution No. 1392 of the Government of the Russian Federation dated 10 September 2025 will enter into force from 1 January 2026.^[8] It establishes a grading points system to assess whether pharmaceutical products may be recognised amongst Russian industrial products. To obtain such a status, at least 50 points on the implementation of technological processes on the territory of the Eurasian Economic Union will have to be obtained.

The document confirming the performance of technological processes regarding such products will be issued by the Ministry of Industry and Trade of the Russian Federation, while the record in the Register of Russian Industrial Products generated on the basis of the indicated document will remain in force for up to three years.

2. Sale of assets in Russia

The Japanese corporation Takeda Pharmaceutical Company, which has a Russian subsidiary OOO Takeda Pharmaceuticals via Austrian companies, received permission from the Government Commission for the Control of Foreign Investments in the Russian Federation to sell its factory located in Yaroslavl Region in Russia.

It has been reported that Takeda signed an agreement with the Russian company AO Binergiya *"related to the transfer of rights to the commercialisation of certain medicines of the retail portfolio on the territory of the Eurasian Economic Union"*.^[9]

An interesting aspect of this transaction is that foreign companies from the so-called "unfriendly countries" (as designated by the Russian authorities) cannot freely sell certain types of assets (real estate, participation interests in companies, intellectual property, etc.) in Russia and must obtain permission to do so from a special government agency – the Government Commission for the Control of Foreign Investments in the Russian Federation. However, the law does not specify a timeframe for the issue of such permission.

ADVANT Beiten is always at your disposal for any questions you may have related to protecting the rights of foreign companies in Russia, the CIS, and the EAEU.

[1]. <https://regulation.gov.ru/projects/160675/>

[2]. Order No. 2701 of the Ministry of Industry and Trade of Russia dated 21 July 2023 "On Approval of the List of Goods (Groups of Goods) Which Are Not Subject to the Provisions of Articles 1252, 1254, Clause 5 of Article 1286.1, Articles 1301, 1311, 1406.1, Sub-Clause 1 of Article 1446, Articles 1472, 1515 and 1537 of the Civil Code of the Russian Federation, Provided that These Goods Have Been Put Into Circulation Outside the Russian Federation by the Rights Holders (Patent Holders), and Also with Their Consent."

[3]. Explanatory note to the draft Order of the Ministry of Industry and Trade of the Russian Federation "On Approval of the List of Goods (Groups of Goods) Which Are Not Subject to the Provisions of Articles 1252, 1254, Clause 5 of Article 1286.1, Articles 1301, 1311, 1406.1, Sub-Clause 1 of Article 1446, Articles 1472, 1515 and 1537 of the Civil Code of the Russian Federation, Provided that These Goods Have Been Put Into Circulation Outside the Russian Federation by the Rights Holders (Patent Holders), and Also with Their Consent."

[4]. Decree No. 657 of the President of the Russian Federation dated 17 September 2025 "On Amending Decree No. 100 of the President of the Russian Federation dated 8 March 2022 'On the Application of Special Economic Measures in the Field of Foreign Trade for the Purposes of Ensuring the Security of the Russian Federation'".

[5]. Decree No. 100 of the President of the Russian Federation dated 8 March 2022 "On the Application of Special Economic Measures in the Field of Foreign Trade for the Purposes of Ensuring the Security of the Russian Federation".

[6]. Directive No. 2460-r of the Government of the Russian Federation dated 5 September 2025.

<http://static.government.ru/media/files/I72NoG06gUCiNhBRrBoRxnExNMICxtA8.pdf>

[7]. Ruling of the Intellectual Property Court dated 16 September 2025 on agreeing to consider the cassation appeal and on scheduling a court session in case No. [A21-13317/2024](#).

[8]. Resolution No. 1392 of the Government of the Russian Federation dated 10 September 2025 "On the Introduction of Amendments to Resolution No. 719 of the Government of the Russian Federation dated 17 July 2015".

[9]. <https://www.kommersant.ru/doc/8079468?ysclid=mgibyo5id5685029763>

Kind regards,

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