

ADVANT Beiten

LEGAL DIGEST

HEALTHCARE RUSSIA - DECEMBER 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 December 2025.

I. MEDICAL GOODS

1. Changes in legislation and legal regulation

1.2 Extension of the permit procedure for exporting medical goods from Russia

On 28 December 2025, an Order of the Federal Service for Surveillance in Healthcare (Roszdravnadzor)^[1] came into force. It extends the special permit procedure for exporting from Russia the medical goods mentioned in the list approved by the Russian Government until **31 December 2027**^[2].

The following medical goods are among those included on this list:

FEACN Code	Name of goods
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9018 (except for 9018 31 900 1, 9018 49 100 0, and 9018 90 100 0)	Instruments and devices used in medicine, surgery, dentistry, or veterinary practice, including scintigraphy apparatuses, other electro-medical apparatuses, and vision testing devices.
9019 20 000 0	Apparatus for ozone, oxygen, and aerosol therapy, artificial respiration, and other therapeutic breathing apparatus.
9022 (except for 9022 90 000 0)	Apparatus based on the use of x-rays, alpha, beta, gamma, and other ionising radiation, whether or not intended for medical, surgical, dental, or veterinary use, including x-ray or radiotherapy apparatuses, x-ray tubes and other x-ray generation devices, high-voltage generators, circuit-breaker panels and control panels, screens, tables, chairs, and similar items for examination or treatment

2. Measures against counterfeit and infringing medical goods: the case of individual entrepreneur A.I. Melnikov vs Kirov Regional State Budget-Funded Healthcare Institution Kirov Regional Clinical Hospital

Measures by foreign rights holders to tackle counterfeit and infringing medical goods result, *inter alia*, in the refusal of medical institutions to accept the goods, which serves, as a rule, as the grounds for the suppliers of the counterfeit and infringing medical goods to file a claim in court against their client medical institutions.

In addition, a supplier that did not perform or performed a state contract unduly must be included in the so-called Register of Bad Faith Suppliers. [3]. One of the adverse consequences for such a supplier is the prohibition on participating for two years in certain categories of state procurements.

In the case under consideration here, the individual entrepreneur A.I. Melnikov supplied medical goods to Kirov Regional State Budget-Funded Healthcare Institution Kirov Regional Clinical Hospital. The rights holder Sysmex Corporation sent a letter to the hospital, stating that the goods showed evidence of being infringing goods and filed a claim in court against the supplier, *inter alia*, on declaring the goods to be counterfeit and infringing goods (the claim was satisfied). Moreover, the goods were attached by the court and were not accepted by the client.

The supplier cancelled the contract, holding that the hospital's refusal to accept the goods was unsubstantiated.

Such actions of the supplier served as the grounds for the Kirov Office of the Federal Antimonopoly Service of Russia to include the supplier in the Register of Bad Faith Suppliers, a decision which was appealed by the supplier in court.

The Commercial Court of Volga-Vyatka District (the third level, court of cassation), drew the following important conclusions when declaring the inclusion of the supplier in the Register of Bad Faith Suppliers to be legitimate^[4]:

- The supplier should have gained assurance that there had been no infringement of the rights of rights holders to trademarks, something that he had not done, as he had not requested and had not obtained the necessary information from the rights holder Sysmex Corporation;
- The hospital had been right to refuse to accept the supplied goods as they showed *evidence* of being infringing goods;
- The import of medical goods into the Russian Federation without the consent of the rights holder is prohibited;
- The fact that the customs authority had not discovered evidence of an infringement of the rights of the rights holder to the trademark at the time of the import of the contested goods into Russia has no legal relevance for the qualification of the goods as counterfeit;
- The courts were right to reject the entrepreneur's argument that the contested goods complied with the terms of the contract, as this argument does not attest to compliance by the supplier with the mandatory norms of civil legislation (Articles 1252^[5] and 1484^[6] of the Russian Civil Code) that the client is required to take into account at the time of the acceptance of the goods, all the more so in a situation when there were objective grounds for doing so (information provided by the representative of the rights holder).
- The courts were right to reject the entrepreneur's position that the procedure for conducting an expert examination at the time of the acceptance of the contested goods by the client had been violated. In the case under consideration the client had not conducted an expert examination as it had received information directly from the actual rights holder via its representative that the contested goods were counterfeit and infringing goods.

II. PHARMACEUTICALS AND NUTRITIONAL SUPPLEMENTS

1. Changes in legislation and legal regulation

1.1 Russian healthcare development strategy to 2030

On 8 December 2025 the Strategy for the Development of Healthcare in the Russian Federation for the Period to 2030^[7] was approved. Implementation of the strategy is expected to have the following results:

In the field of pharmaceuticals

- an increase of the share of medicines on the list of essential medicines that are produced in Russia to 90%;
- an increase in the share of medicinal blood products produced under the full production cycle within Russia to 90%;

In the field of medical goods

- an increase to 40% in the share of medical goods and to 19.5% in the share of medical goods implanted in the human organism that are manufactured within Russia and required for the country's healthcare system.

A plan of specific measures to implement the strategy will be drawn up by the Russian Government within the next six months.

1.2 The ability to import medicines in foreign packaging that are in short supply has been extended

The ability to import medicines intended for circulation in foreign states into Russia and introduce them into circulation in Russia has been extended until 31 December 2027^[8], if there is a shortage of such medicines in the country or if there is a risk that such a shortfall might occur in connection with the introduction of economic restrictive measures against Russia, as long as a number of criteria established by legislation are met.

1.3 Antitrust regulation: Regulations on the Anticartel government information system (GIS)

On 8 December 2025 the regulations on the Anticartel GIS approved by the Russian Government^[9] went into effect. The GIS was created to provide informational support for the operations of the Federal Antimonopoly Service of Russia (FAS) on preventing, identifying, and interdicting anti-competitive agreements with the help of digital technologies.

Planned sources for the data of the GIS and the formation of analytical and statistical information will include data from various information

systems, including the Torg [Trade] GIS^[10], the system of the Federal Tax Service of Russia, and the Financial Statements GIS^[11], as well as data from the website of the Federal State Statistics Service,^[12] and other information.

2. Dispute between a pharmaceutical company and a Russian TV channel

Background to the dispute

The social reality show *Bolshiye Devochki* [Big Girls] has been running on one Russian television channel since 2024; participants agree to attempt various challenges to change their lifestyle and reduce their weight over a three-month period.

A company that develops medicines to treat patients suffering from excess body mass and obesity held that its rights had been infringed by the broadcasting of this show and filed a claim with the Commercial Court of the City of Moscow. In its statement of claim, the company declared, inter alia, that the TV programme:

"has an impact on the subconscious of people and a deleterious effect on their health [...], forms misguided impressions on the methods available to combat excess body mass, creating in the public consciousness obstacles to the transfer of a patient to a different obesity treatment programme, thereby provoking a decrease in demand for the Claimant's medicines".

The claimant asserts that Big Girls creates a false impression about means of fighting excess weight and fosters an incorrect attitude to pharmaceutical and surgical therapies to treat obesity, which may affect demand for the claimant's medicines.

The company filed a claim against the television company, asking that the broadcast of the programme be declared a breach of Russian law, that the broadcasting of the show be prohibited, that the company be ordered to cease broadcasting, and also a claim against a streaming service to terminate streaming of the show.

The Commercial Court of the City of Moscow denied the claim of the pharmaceutical company^[13]; at present, the court's decision has not yet come into effect.

Conclusions of the commercial court

After considering the case, the court reached the following key conclusions:

- The nature of the show as entertainment and the broadcasting of participants' opinions are not evidence *per se* of harm caused to any person engaged in business activity in the treatment of obesity, absent an explicit mention on the show;
- The claimant did not justify their authority to file in court to protect the public interest, and did not submit sufficient evidence that the respondents had discredited its social activity or the medicines it produces.

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

[1]. Roszdravnadzor [Order No. 5575](#) dated 27 October 2025 "On Amending Clause 3 of Order No. 39 of the Federal Service for Surveillance in Healthcare dated 15 January 2024 'On Approving the Procedure for the Issue of Permits to Export Certain Types of Medical-Purpose Goods from the Russian Federation according the List in Annex No. 6 to Resolution No. 312 of the Government of the Russian Federation dated 9 March 2022 'On the Temporary Introduction of a Permit Procedure for Exporting Certain Types of Goods from the Russian Federation'".

[2]. Annex No. 6 to Resolution No. 312 of the Government of the Russian Federation dated 9 March 2022 "On the Temporary Introduction of a Permit Procedure for Exporting Certain Types of Goods from the Russian Federation".

[3]. Article 104 of Federal Law No. 44-FZ dated 5 April 2013 " On the Contract System regarding the Procurement of Goods, Work, and Services to Meet State and Municipal Needs".

[4]. Judgment No. F01-3972/2025 of the Commercial Court of Volga-Vyatka District dated 1 December 2025 in case No. [A28-11626/2024](#).

[5]. Clause 4 of Article 1252 of the Russian Civil Code: "In instances where the manufacture, dissemination or other use, as well as the import, carriage or storage of physical media, which contain the intellectual property or means of identification, result in the infringement of the exclusive right to such property or to such means, said physical media shall be deemed counterfeit and should further to a court decision be withdrawn from circulation and destroyed".

[6]. Clause 3 of Article 1484 of the Russian Civil Code: "No one has the right, without the permission of the rights holder, to use designations similar to the trademark of the rights holder in respect of goods, for the identification of which the trademark has been registered, or in respect of similar goods, if such use is likely to lead to confusion."

[7]. [Decree No. 896](#) of the President of Russia dated 8 December 2025 "On the Strategy for the Development of Healthcare in the Russian Federation for the Period to 2030".

[8]. [Federal](#) Law No. 483-FZ dated 15 December 2025 "On the Introduction of an Amendment to Article 47 of the Federal Law "On the Circulation of Medicines".

[9]. [Resolution No. 1933](#) of the Government of the Russian Federation dated 28 November 2025 "On the Government Information System to Prevent, Identify, and Interdict Anti-Competitive Agreements ".

[10]. <http://www.torgi.gov.ru/>.

[11]. <https://bo.nalog.gov.ru/>.

[12]. <https://rosstat.gov.ru/>.

[13]. Judgment of the Commercial Court of the City of Moscow dated 17 December 2025 in case No. [A40-67531/25](#).

Kind regards,

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