

PROTECTING YOUR INTELLECTUAL PROPERTY IN ARMENIA: WHAT YOU NEED TO KNOW





For businesses and creators, intellectual property (IP) is a cornerstone of value—whether it’s a groundbreaking invention, a distinctive brand, or a creative masterpiece. Protecting these assets in Armenia not only secures your investment but also positions you to profit in a market that bridges Europe, the CIS, and beyond. Armenia’s legal framework for IP is robust, aligned with international standards through treaties like the Paris Convention, Berne Convention, and the Madrid System. The Intellectual Property Agency of Armenia (AIPA) oversees registrations, ensuring your innovations and brands are shielded from competitors.

Whether you’re an entrepreneur launching a startup or an international firm eyeing Armenia’s market, understanding how to protect your IP here is a strategic advantage. Armenian law covers a wide range of IP rights, including patents for inventions, trademarks for brands, copyrights for creative works, and trade secrets for confidential know-how. Each offers unique tools to lock in your competitive edge.

Patents in Armenia: Securing Your Innovations for Profit



What Can Be Patented: Patents safeguard technical inventions—such as advanced machinery, software-driven devices, or pharmaceutical formulations—as well as utility models, which cover simpler technical solutions, and industrial designs, which protect distinctive product appearances.

To be eligible, an invention must be novel, involve an inventive step, and have industrial applicability. This protection enables you to secure your cutting-edge creation, allowing it to generate revenue without the threat of local competitors duplicating your work. For instance, if your company develops a new mechanical tool or a unique product design in the U.S. or EU, obtaining a patent or design right in Armenia can effectively prevent unauthorized copying by local entities, preserving your investment and market advantage. This means your innovation can be firmly locked down, poised to deliver returns in a competitive landscape.

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Application and Registration Process and international applications: Patents are only protected once registered. The process includes filing an application with AIPA, undergoing examination, and receiving a patent certificate. Armenia operates on a first-to-file basis, making prompt filing critical. International applicants may apply via the PCT (Patent Cooperation Treaty) system or the Eurasian Patent Organization (EAPO), both of which Armenia is a member of. Patents for inventions last 20 years, utility models for 10 years, and industrial designs for up to 15 years (with renewal). Annual maintenance fees apply to keep these rights in force.

Commercial Value of Patents: Holding a patent in Armenia means having exclusive rights to use, manufacture, license, or sell the invention. These rights can become a core part of a company's valuation, especially in technology and pharmaceuticals. An Armenian patent also facilitates licensing deals with local partners, enabling foreign companies to expand operations while keeping control over their innovations.

Unauthorized use or exploitation of a patented invention constitutes infringement, actionable through civil proceedings. The patent holder may seek judicial remedies, including an injunction to cease infringing activities and compensation for damages sustained.

For instance, if you've patented a pharmaceutical compound, you have the sole right to manufacture or license that drug in Armenia, creating potential revenue streams through direct sales or licensing agreements.

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International Scope: An Armenian patent is effective only within Armenia's territory. However, patents from foreign states or via international organizations can be recognized in Armenia if international treaties so provide. Additionally, foreign individuals or companies have equal rights to apply for patents in Armenia—there is no discrimination based on nationality.

Employee Inventions: When employees invent during work hours, your company owns the patents if contracts specify this. Employees might get bonuses, but you retain the intellectual property.

Use Case: Patenting a New Tech Gadget: Imagine you developed a new AI-powered device in Germany and see a market in Armenia. You file a PCT application and later enter the Armenian national phase. After examination, you secure an Armenian patent. Now, you have the exclusive right to manufacture or authorize others to manufacture that gadget in Armenia. You could license production to a local Armenian electronics company (with royalties), knowing your rights are protected. If a rogue producer tries to copy it without permission, Armenian law empowers you to act swiftly to stop them.



Trademarks in Armenia: Building and Protecting Your Brand's Value

What is a Trademark? Your brand is your business's identity—its logo, name, or slogan sets you apart and drives customer loyalty. In Armenia, registering a trademark with AIPA locks in that identity, preventing others from trading on your reputation. Trademarks cover everything from words and symbols to shapes and sounds, as long as they distinguish your goods or services. Both trademarks for goods and service marks for services are protected under the same framework. For example, a company's name or logo (like “Nike” and the Swoosh design) can be registered as a trademark in Armenia to prevent others from using confusingly similar marks for related products. Firm names (trade names) and geographical indications (appellations of origin) are also recognized forms of identifying signs in the Civil Code, though they have some separate rules and registers.

Registration is Key: Trademark protection in Armenia is granted through registration with AIPA. Armenia adheres to a first-to-file system, so early filing is key. The application includes a depiction of the mark and a list of goods/services by class. Following examination and publication, third parties may oppose the application.

Once registered, the trademark is valid for 10 years and can be renewed indefinitely. Non-use for five years can lead to cancellation.





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International Routes: Armenia's participation in the Madrid System makes this even easier for foreign firms. If you've got a trademark in the U.S. or Russia, a single Madrid filing can extend it to Armenia, saving time and costs. Once registered, you can use your mark exclusively, license it for profit, or stop copycats in their tracks.

Note that **European Union Trademarks (EUTM)** do not cover Armenia, since Armenia is not an EU member. EU businesses must seek national registration (or Madrid). Businesses in Russia or other CIS countries likewise often use Madrid to extend protection to Armenia, or file nationally.

- *Well-Known Marks:* Unregistered yet well-known trademarks in Armenia may block others' use or registration if proven famous via evidence to the Intellectual Property Agency. This is in line with the Paris Convention's protection of well-known marks. Nonetheless, the best practice is to register your trademark proactively, famous or not.

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Trademark Monetization and Enforcement: Like patents, trademarks are property that can be transferred or licensed. You can sell/assign a trademark to another entity (for all or some of the goods/services).

- **Licensing:** A trademark owner can permit others to use the mark via a license agreement. This is often done in franchising or merchandising deals. Armenian law states that a trademark license must ensure that the quality of goods or services by the licensee is not lower than those of the licensor, and the licensor retains the right to supervise this quality.
- **Franchising:** Many international franchises operate in Armenia (e.g., fast food chains). A franchise agreement will typically include a trademark license, along with know-how, and it must follow the same rules.

Enforcement and Remedies for Trademark Infringement: Trademark enforcement in Armenia is backed by clear legal provisions. Using an identical or similar mark for identical or similar goods/services without consent is trademark infringement. An infringer must cease use of the mark and compensate the trademark owner for losses.

Maintenance of Rights: Once you have a trademark, note that non-use of a trademark in Armenia for a certain period (usually 5 years) can make it vulnerable to cancellation for non-use, upon request by a third party. Therefore, if you register a mark, use it in commerce or at least be prepared to justify genuine reasons for non-use to avoid cancellation actions. For businesses mainly securing rights defensively, keep in mind this obligation to use.

Case Example: A U.S. coffee chain registers its logo via Madrid, designating Armenia. Soon, they're licensing it to cafes in Yerevan, pulling in profits while keeping their brand untouchable.

Copyright in Armenia: Protecting Creative Works

Creative works—software, music, books, films, or designs—are assets that deserve protection. In Armenia, copyright kicks in the moment you create something original, no registration needed. This automatic shield, backed by the Berne Convention, covers everything from a startup's app code to a filmmaker's latest project. This means your creative output is instantly secured, ready to generate returns without upfront costs.

Rights and Duration: Authors enjoy moral rights (e.g., attribution, integrity) and economic rights (e.g., reproduction, distribution, adaptation). Economic rights last for the life of the author plus 70 years. Related rights for performers and producers generally last 50 years.

Commercial Use: As the creator, you hold exclusive rights to reproduce, distribute, or adapt your work. You can license a novel to a publisher or sell film rights to a studio, turning creativity into cash flow. This flexibility allows for publishing, broadcasting, or sublicensing arrangements. Investors in IP-heavy ventures (e.g., publishing, gaming, software) benefit from these protections.



Copyright in Armenia: Protecting Creative Works

Enforcement of Copyright: Copyright infringement occurs when someone uses a protected work without permission – e.g., pirating software, photocopying books for commercial sale, using a photo on a website without license, or performing music publicly without authorization. Armenia's Civil Code provides generally that means of protection of exclusive rights include civil remedies like damages. Here's how enforcement works:

- **Civil Action:** The copyright holder can file a lawsuit. Remedies can include injunctions (to stop the infringing activity), impoundment and destruction of infringing copies, and damages. Damages can be actual damage plus lost profits. Armenian law also allows an alternative calculation: for instance, compensation of up to double the hypothetical license fee the infringer would have paid. Courts can also order the infringer to publish the court's decision in the media at their expense (to acknowledge the infringement).
- **Criminal and Administrative:** Commercial-scale copyright piracy can attract criminal penalties. Offenders may face fines or imprisonment for severe cases, particularly if it affects a large number of works or has significant monetary impact. The enforcement authorities (police, etc.) can act on complaints for such cases. There are also administrative fines for smaller infringements.

Case Example: An EU filmmaker shoots a documentary in Armenia. It's copyrighted instantly, and they license it to a streaming platform. When a local site uploads it illegally, a lawsuit nets them damages—proof the investment's secure.

Trade Secrets in Armenia: Safeguarding Confidential Business Information

Some of your most valuable assets—like customer lists, business strategies, or secret recipes—aren't patented or registered. These trade secrets give you a competitive edge, and Armenia's laws protect them as “undisclosed information.” To qualify, the info must be valuable because it's secret, and you must take steps to keep it that way.

There's no formal process in Armenia; protection comes from your diligence. A tech firm with a unique algorithm, for example, can shield it with contracts and security measures. If an employee leaks it to a rival, you can sue for damages and stop the spread. Courts can even order compensation matching what a license would've cost, ensuring your investment isn't lost.

Case Example: Picture a beverage company with a signature formula. By keeping it under wraps with NDAs and limited access, it stays ahead of competitors. If a partner breaches confidentiality, legal remedies kick in—protecting both the secret and the profits it drives.

Protecting Trade Secrets in Practice:

- *Identify your secrets:* Not all business info is a trade secret. Clearly identify what is confidential (business plans, client lists, recipes, etc.).
- *Implement measures:* Mark documents “Confidential,” use password protection for files, limit access. In Armenia’s context, that could mean having confidentiality policies even if you’re a small firm – it shows you take measures as required by law.
- *Non-compete clauses:* Non-competes can support trade secret protection but must balance not overly restricting someone’s right to work. Even without a non-compete, the core is they cannot take or use your confidential information.

Civil Code imposes liability on anyone who unlawfully obtains, discloses, or uses trade secrets. If a person unknowingly acquires such information from someone unauthorized to share it (good faith acquirer), liability begins once they become aware of the illegality. Remedies include:

- Compensation for damages,
- Injunctive relief,
- In some cases, courts may allow continued use under a non-exclusive paid license, especially if the good-faith acquirer has invested resources.



Why This Matters

Armenia's IP system isn't just a legal framework—it's a business tool. Patents lock in your innovations, trademarks build your brand's worth, copyrights secure your creative output, and trade secrets guard your confidential edge. Together, they ensure your investment isn't undermined by copycats or leaks, while opening doors to licensing deals and market expansion. Whether you're launching a gadget, franchising a brand, or selling a film, Armenia offers a stable, internationally aligned platform to protect and profit from your IP.



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