

Newsletter

New Russian law on blocking mobile applications with illegal content

June 30th, 2020

Dear Ladies and Gentlemen,

We would like to inform you on the adopted amendments to the Federal Law "On Information, Information Technologies and the Protection of Information" ("**Law**").

Firstly, this Law introduces **an instrument for blocking the IP infringing content (audiovisual and literary works)** in mobile applications.

Secondly, the Law also provides a tool for blocking **extremist information and other illegal information** available in mobile applications.

The Law comes into force on **October 1, 2020**.

Key provisions on copyright

The Law enables the Russian regulator ("**Roskomnadzor**") to oblige **app owners and app platforms** such as AppStore, Google Play and Huawei AppGallery to delete the IP infringing content.

Based on the final court judgment on a copyright infringement and the request of copyright holder, **Roskomnadzor** initiates the blocking procedure of the infringing content in the app.

Roskomnadzor sends **a formal notification to the operator of an app platform** where the app with the infringing content could be downloaded, in order that the app platform operator **requests the owner of app to delete the infringing content**.

In case of non-compliance by the app owner, the app platform operator shall restrict access to such app (e.g. by deleting it in the app platform).

If the request of Roskomnadzor is not fulfilled by either app owner or app platform operator within the time limits established by the Law, the **communication services providers** shall block access to the infringing app upon the request of Roskomnadzor.

Blocking information contradicting public interest

The Law stipulates that apps and app platforms shall block the illegal information **contradicting public interest**: extremist information, information about illegal public gatherings, fake news.

Such take down procedure **does not require a court decision**. Roskomnadzor initiates a procedure to restrict access to a mobile app based on the request of the General Prosecutor of the Russian Federation or his deputy.

Effect of the Law

Once the Law enters into force, right holders will be provided with a new useful tool that allows them to protect their IP rights on the Internet more efficiently against pirate apps.

On the other hand, the Law imposes significant new responsibilities on the owners of apps and mobile app platforms. In particular, they are obliged to develop specific tools for prompt communication with Roskomnadzor and deleting illegal content.

For up-to-date legislative news and business-related guidance in connection with COVID-19, please visit our dedicated webpage:

[COVID-19: What you need to know](#)

We hope that the information provided herein will be useful for you. If any of your colleagues would also like to receive our newsletters, please send them the link to complete a [Subscription Form](#). If you would like to learn more about our [Intellectual Property Practice](#), please let us know in reply to this email. We will be glad to provide you with our materials.

Note: Please be aware that all information provided in this letter was taken from open sources. Neither ALRUD Law Firm, nor the author of this letter, bear any liability for consequences of any decisions made in reliance upon this information.

If you have any questions,
please, do not hesitate
to contact ALRUD partner



**Maria
Ostashenko**

Partner
Commercial, Intellectual Property,
Data Protection and Cybersecurity

Sincerely,
ALRUD Law Firm

E: mostashenko@alrud.com