

## **THE LEGALIZATION OF PARALLEL IMPORTS IN BELARUS**

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The sanctions imposed in the Republic of Belarus have played a role in restricting the supply of some foreign goods. In recent months, many foreign brands have stopped their work in the countries of Belarus and Russia, significant restrictions were imposed on imports and exports. Foreign products simply cannot be imported to Belarus through the former distribution and dealer channels, although they are still in demand. Some of the well-known products left the market for a while, but then they appeared at the store shelves legally.

In order to create conditions for increasing the internal stability of the economy, preventing or reducing a critical shortage in the domestic market of food and other goods, parallel imports have been legalized in Belarus. This is provided by the Belarusian No. 241-Z of January 3, 2023 “On the restriction of exclusive rights to intellectual Property objects”. According to the document, Belarus allows to import goods where intellectual property objects are used, without copyright holders from some foreign countries. Such objects are computer programs, audiovisual and musical works, broadcasts of broadcasting organizations. The use of these objects is not considered a violation of exclusive rights [1]. Parallel imports are products that are imported and sold outside of the original producer’s distribution channels, so they weren’t intended for sale in this country. These goods aren’t counterfeit, so the sale of them under someone else's brand without the permission of the copyright holder. Unfair manufacturers completely or partially copy other people's trademarks and designations, confusing potential consumers. The goods of a parallel import are

not contraband also: they are original, have a license and quality certificates and officially go through customs. So parallel imports are imports of the gray market. Gray market's products are sold outside the distribution channel that was agreed upon by the brand and official resellers. This can happen with electronics, books, software, cars and much more [2]. So now, for example famous brand IKEA we can see in some Belarusian supermarkets and shops, although there are no official representatives of this brand.

How to recognize a parallel import?

There are some features: an importer means any person who imports original products, and he is not a dealer of official distributor; imported products have a unique marking; there is no permission from the trademark owner to import products, it means the importer and the copyright holder are not in a contractual relationship.

Consequently the parallel import is a good and legal way for the Belarusian market to prevent a shortage of particular products while sanctions from abroad. It has to be said that until recently, parallel imports were banned, as the market of the Republic of Belarus was interested in investments by foreign companies. However, in the new conditions, the country has become interested in legalization parallel imports.

## References

1. В Беларуси легализован параллельный импорт [Electronic resource]. – Mode of access: <https://www.belta.by/economics/view/v-belarusi-legalizovan-parallelnyj-import-543540-2023/>. – Date of access: 06.04.2023.

2. Parallel imports explained [Electronic resource]. – Mode of access: <https://www.redpoints.com/blog/parallel-imports-explained/>. – Date of access: 06.04.2023.