

# CWS/ATR/PI/2020/HU

## Annual Technical Report on Patent Information Activities in 2020 submitted by the Hungarian Intellectual Property Office

### I. GENERAL OVERVIEW OF RECENT DEVELOPMENTS IN PATENT INFORMATION ACTIVITIES CARRIED OUT BY THE OFFICE

#### Outline of main policies and plans aimed at development of patent information activities and expected time frames for their realization

Supported institutional objectives in the field of:

##### I. Industrial property examinations and procedures

- high level of compliance with the requirements of the national intellectual property protection authority activity (industrial property rights, copyright activity) in accordance with international professional requirements and the requirements of ISO standards

- strengthening the service provider nature of official activities, maintaining partnerships with customer

##### II. Public documentation and information activities in the field of intellectual property

Improving the conditions of industrial property and copyright culture with support programs of awareness, information and qualification of customer service, value-added service, IT and education; purposeful support of science, technology and innovation policy strategies to improve national efficiency

##### III. Participation in the preparation of legislation regulating the protection of intellectual property and relating to research and development activities

- comprehensive, effective and proactive implementation of governmental tasks and responsibilities in the preparation of legislation related to the protection of intellectual property (industrial property rights and copyright) and research and development activities, with special regard to the needs of European Union and domestic policies

##### IV. Performing professional tasks in the field of international and European cooperation in the field of intellectual property

- fulfillment of the tasks of the member states arising from the European integration of Hungary in the field of protection of intellectual property (European Patent Convention, Community trademark and design protection system, copyright), with special regard to the interests of Hungary; expansion of the role of Hungary in international official co-operation in proportion to the official knowledge base in the service of becoming a regional center

- the continuous improvement of the quality of the Office's research services under international agreements

#### New projects launched or resumed this year in the context of the policies and plans mentioned above, short description: aims, partners, tasks

Amendment of laws owing to the pandemic

In view of the pandemic situation, in the spring of 2020 Hungarian public and higher education institutions introduced digital education. At the initiative of HIPO and as a result of joint codification work with the Ministry of Justice, an emergency Government decree was adopted: Government Decree 125/2020 (16 April) on the differing rules, in connection with the state of danger, of the application of free use for educational purposes of Act of LXXVI on copyright, which received international media coverage.

The adopted law made possible a wider use of works under copyright protection in the course of online remote teaching, extending thereby the exceptions of free use for educational activities.

Later on, the provisions of the Government Decree were also incorporated into the Copyright Act.

The Office gave an opinion on the draft Government Decree on public health compulsory licences for the exploitation of inventions under patent protection within Hungary. Upon the termination of the state of danger introduced owing to the pandemic, it also provided an opinion on an amendment with similar content to Act XXXIII of 1995 on the protection of inventions by patents (Patent Act).

The amendment of the Patent Act, in order to be able to take effective action against a pandemic causing massive outbreaks in the population, aimed at ensuring the adequate availability of products based on health care inventions under patent or supplementary protection. Therefore, the amendment makes it possible to request so-called compulsory licences for health care products (e.g. medicinal products or active substances or vaccines), diagnostic instruments (e.g. tests) or medical devices (e.g. respirators or their parts). Pursuant to the provisions, which entered into force on 18 June 2020, HIPO is authorised, on request, to decide on granting public health compulsory licences, subject to the certificate of the National Institute of Pharmacy and Nutrition (OGYÉI).

#### Main areas of patent information activities and related information and communication technology (ICT) practices which were in the focus of attention last year

The positive aspect of the COVID-19 epidemic was the progress made on the way to becoming a digital Office. During the pandemic HIPO oriented its clients toward the previously developed electronic administration (e.g. e-filing, e-communications) and other services (e.g. use of data bases). The use of available electronic platforms increased not only in the field of filing applications and submissions but the transition to online communications was also successful in the case of education, training and other domestic events.

Due to the COVID-19 pandemic, HIPO attached considerable attention and importance to the development of e-administration. As a result of the measures related to the pandemic, the number of applications filed in electronic way increased by 3 to 4 times compared to the earlier period, from 300 to 400 to 1100 per month.

Events organised digitally or in a blended form were so productive that the Office could manage to disseminate IP related contents to many more participants than in the past.

### **Statistics: changes in terms of application filings and grants with respect to previous year; trends or areas experiencing rapid changes**

Number of valid Patents, Supplementary protections and Plant variety protections in Hungary at the end of 2020

Patents granted via the national route: 1696 (2019: 2209)

European patents validated by HIPO: 31870 (2019: 29749)

At the end of 2020, the number of valid patents in Hungary amounted to 33 566, which is 1608 more, i.e. 5% higher than the number at the end of 2019 (31 958).

Among them the number of European patents validated for Hungary increased by 7% from 29 749 in 2019 to 31 870 in 2020.

Within the framework of national patent proceedings, the Office prepared 290 novelty search reports. In 130 cases search reports were supplemented with a written opinion, and of those in 76 cases an accelerated procedure was requested. In 2020, five clients made use of the opportunity, existing since May 2019, to request a written opinion based on the English language patent description and claims.

In connection with the COVID-19 health crisis, three applications for compulsory licence were received by the Office until 31 December 2020. In each application a compulsory licence was requested for the active substance of the same particular medicinal product, in respect of the three patents which protected it.

As provided for by the relevant Act, the Office dealt with the three applications out of turn and took its decision in a short time frame.

Requests for validation of European patents in Hungary

Validations in 2020: 31870 (2019: 29749)

Requests for validation in 2020: 5102 (2019: 5723)

The requests for validation in Hungary were 11% less than the number in the previous year.

Number of Supplementary protection certificates in 2020: 344

From among the 344 supplementary protection certificates the term of protection of 279 patents has not yet expired, and in 65 cases it is the SPC that is already in force.

The number of national plant variety protections increased as well, at the end of 2020 there were 167 valid protections compared to 119 in 2019.

Utility model protections granted via the national route in 2020: 837 (2019: 835)

Utility model applications via the national route in 2020: 227 (2019: 255)

At the end of 2020 we had 837 valid national utility model protections, which is about the same number as the previous year (835).

There was a reduction in the number of utility model applications in 2020: HIPO received a total of 227 utility model applications, 28 less than in the previous year, which is a decrease of 11%.

### **Other matters and useful links (URLs): annual report of the Office, news page, statistics, etc.**

Annual Reports:

<https://www.sztnh.gov.hu/en/publications/hungarian-intellectual-property-office-annual-report>

## **II. SERVICES AND ACTIVITIES RELATED TO PATENT INFORMATION CARRIED OUT BY THE OFFICE**

### **Information and support provided by the Office to applicants regarding filing on paper and/or e-filing (instructions, seminars, etc.) - URLs**

Detailed information and support is accessible on the website of HIPO, eg.:

e-Filing: <https://ugyintezes.sztnh.gov.hu/eBej2/step1>

Forms and fees: <https://www.sztnh.gov.hu/hu/mivel-fordulhatok-a-hivatalhoz/folyamatban-levo-es-lezart-ugyeim-kezelese/urlapok-dijak>

How can I protect my intellectual property?: <https://www.sztnh.gov.hu/hu/hogyan-vedjem-a-szellemi-tulajdonomat/hogyan-vedjem-a-talalmanyomat>

#### **Availability of the application dossier in electronic form**

The e-dossier gives inspection and communication platform providing online administration.

E-dossier: <http://epub.hpo.hu/e-aktabetekintes/?lang=HU>

#### **Classification<sup>1</sup>, preclassification<sup>2</sup> (if applicable), reclassification<sup>3</sup> activities; classification systems used (e.g., International Patent Classification (IPC)); matters concerning indexing of patent information**

Both IPC and CPC classification systems are used by HIPO.

Both classification systems are used in the HU Administration System and are sent to the EPO (Espacenet). IPC classification symbols are available on the HIPO website in Hungarian and English.

IPC: <http://classifications.mszh.hu/ipc/>

#### **Abstracting, reviewing, and translation of the information contained in patent documents**

Patent abstracts and titles of all Hungarian patent applications are translated into English, and sent to the EPO (Espacenet).

#### **Other activities**

### **III. SOURCES OF PATENT INFORMATION PROVIDED BY THE OFFICE**

#### **Main types of publications of the Office (patent applications, full text, first pages, abstracts, bibliographic data, granted patents, etc.), medium (on paper, on CDs, online - URLs)**

The [IP search](#) Hungarian intellectual property database is the basic tool of research of patents and designs valid in Hungary, and applications being processed.

Full-text of published patent applications and granted patent documents are also accessible in the IP-search in searchable format. <http://epub.hpo.hu/e-kutatas/?lang=HU>

Full-text granted HU patents are accessible in electronic format from 1896.

Full-text published patent applications are accessible in electronic format from 1992.

#### **Official Gazettes: main types of announcements, frequency of publication, medium (on paper, on CDs, online - URL), etc.**

Gazette of Patents and Trademarks has been published electronically, and accessible on the website of the Office free of charge, in searchable pdf-format, published twice a month. <https://www.sztnh.gov.hu/hu/szakmai-oldalak/szabadalmi-kozlony-es-vedjegyertesito>

#### **Information products and patent document collections (coverage, medium, etc.) available to examiners, including external collections and databases**

The Unified Administrative System of the Office covers the bibliographic and image data, the documents and the official letters belonging to the different intellectual property rights (with the additional data that are not accessible for the public). The public electronic-databases GAZETTE, IP-SEARCH, E-REGISTER, E-DOSSIER are also used by the Examiners. The IP-SEARCH database has an internal version covering public and non-public data.

Searches are performed mainly in the EPOQUENET system. Examiners regularly use EP-REG, Espacenet and other web-based patent databases. Commercial databases are also used in special technical fields, such as Clarivate Analytics: Thomson Reuters, STN and Elsevier both for patent and non-patent information.

#### **Information products and patent document collections (coverage, medium, etc.) available to external users, conditions of access (e.g., free of charge, subscription, etc.)**

Intellectual property databases such as IP-search, Gazette, e-Register and e-Dossier are accessible on the webpage of HIPO free of charge: <https://www.sztnh.gov.hu/hu/szakmai-oldalak>

#### **Legal status information (kind of information, coverage, medium, etc.)**

Legal status information (not certified) can be accessed in e-Dossier: <http://epub.hpo.hu/e-aktabetekintes/?lang=HU>

Certified statements on the validity of protection can be received against payment.

#### **Other sources**

## **IV. ICT SUPPORT TO SERVICES AND ACTIVITIES RELATED TO PATENT INFORMATION CARRIED OUT BY THE OFFICE**

**Specific software tools supporting business procedures within the Office: general description, characteristics, advantages, possible improvements**

**Hardware used to supporting business processes of the Office**

**Internal databases: coverage, updates, interlinks with external sources**

The Unified Administrative System of the Office comprises the bibliographic and image data, the documents and the official letters that belong to the different intellectual property rights, namely patent, plant variety protection, spc, utility model, trademark, industrial design. The public electronic-databases GAZETTE, IP-SEARCH, E-REGISTER, E-DOSSIER are also used by the Examiners. The IP-SEARCH database has an internal version for internal use only with the additional data that are not accessible for the public.

**Establishment and maintenance of electronic search file: file building, updating, storage, documents from other offices included in the search file**

The Unified Administrative System of the Office is used for file building covering all industrial property titles of protection. It is updated real-time and has a daily backup storage. All incoming documents are scanned since 2012.

**Administrative management electronic systems (register, legal status, statistics, and administrative support)**

The Unified Administrative System of the Office is used for file building, which covers all industrial property titles of protection. It has a real-time update system and has a daily backup storage. This system is the source of the public electronic-databases, such as GAZETTE, IP-SEARCH, E-REGISTER, E-DOSSIER.

#### **Other matters**

## **V. PROMOTION ACTIVITIES AIMED TO SUPPORT USERS IN ACCESS AND EFFICIENT USE OF PATENT INFORMATION**

**Patent library: equipment, collection management, network of patent libraries in the country, cooperation with foreign patent libraries**

In the Frecskay János Special Library, valuable documents related to intellectual property are available, the major part of which cannot be found in other public collections in Hungary. The Office formulated a digitalisation strategy defining the scope of documents recommended for digitalisation in order to make this unique public collection content customer-friendly, available and searchable to the public.

In 2020 more than 4000 thousand pages were digitalised, which content can be found on the Hungaricana Public Collection Portal.

**Publications related to different business procedures and patent information sources available to users, for example, books, brochures, Internet publications, etc.**

Users can access useful and free of charge e-administration and information services on the website such as e-administration, e-search and e-register. In addition to those, they can use the TM e-Filing system to file trade mark applications, the TMview system for electronic trade mark search, or the Designview database, which contains designs protected in the European Union, as well as the GIVIEW database introduced in 2020 containing the geographical indications protected in the European Union.

The website of HIPO ([www.sztnh.gov.hu](http://www.sztnh.gov.hu)) can offer valuable information both to potential clients who are less well-informed of intellectual property matters and to professional users. The number of individually identifiable visitors was 496 thousand, who visited the portal on 1.23 million occasions downloading more than 13 million pages in 2020.

On the website there are 69 thousand files available with individual Internet links.

The official journal of HIPO, the Gazette for Patents and Trade Marks, containing our official publications, is published online on the website of HIPO with free of charge access and certified by electronic signature. In 2020 more than 190 users visited the publication's webpage (that is a 21% increase compared to the previous year) and opened 88 thousand pdf pages.

The Industrial Property and Copyright Review has been issued for 15 years as a specialised bimonthly publication. As result of the pandemic and the change of approach in the Office, the periodical is accessible from the time of publication on, free of charge, by open access on HIPO's website.

Continually updated professional publications

In 2020 the reference books entitled Introduction to Copyright, Introduction to Industrial Property Protection and Industrial Property Protection were published with renewed content and design, and in open access format they can be downloaded free of charge on HIPO's website.

In addition, an awareness-raising outreach material, entitled Research and Development Qualification was prepared both in Hungarian and in English language, which was very well received among the customers. The publication is also available on HIPO's website.

The Office also published the latest analysis of a series, entitled Economic Contribution of Copyright-based Industries in Hungary 6.

#### **Office's initiatives on providing foreign patent information in the local language(s) (e.g., machine translation tools, translation of abstracts)**

The Hungarian version of IPC is accessible on the home-page. <http://classifications.mszh.hu/ipc/>

The Hungarian interface of ESPACENET is accessible: [https://hu.espacenet.com/advancedSearch?locale=hu\\_HU](https://hu.espacenet.com/advancedSearch?locale=hu_HU)

#### **Cooperation with universities, research centers, technology and innovation support centers, etc.**

In 2020 it was a priority objective to spread IP knowledge and to develop industrial property and copyright culture among enterprises and higher education institutions.

HIPO had cooperation agreements in force with 16 universities in 2020. Besides the existing cooperation agreements, HIPO concluded new and renewed ones with the Hungarian Bridges initiative, the University of Miskolc, Budapest University of Technology and Economics, Eötvös Loránd Research Network and the Tungram-iLex Innovation Marketplace.

HIPO has contracts for an indefinite period with 16 County Chambers of Commerce and Industry and 6 PATLIB Centres (in Debrecen, Miskolc, Sopron, Pécs, Gyr and Szeged) to operate information points of IP protection. These information points provide updated information for clients.

The EPO launches the Patlib 2.0 programme for PATLIB Centres, which aims to renew the Centres and their service portfolio during 2021. In the field of enhancing the IP knowledge of enterprises in 2020, HIPO found an important partner in the magazine Market and Profit (Piac és Profit).

By the conferences co-organised with them, HIPO could reach 900 SMEs with its awareness-raising presentations.

HIPO took part in the HungarianBridges (Hu.B) Reload Hungary programme, operating with 12 member organisations, which as an incubator assists the unfolding of the potential residing in the new generation (secondary school students), and supports the SMEs and bogus self-employed persons to restart their enterprises in realising their innovative ideas.

#### **Renewed IPARJOG call for applications**

From July 2020 on, a new funding scheme supports Hungarian economic operators in acquiring IP rights. In the framework of the renewed call of the NRD Office "Support of activities fostering the domestic and international protection of intellectual property to facilitate the exploitation of those creations" (2020-1.1.3-IPARJOG) one may apply for a flat-rate support for Hungarian, international and European patent, utility model, design and trade mark applications.

#### **Education and training: training courses, e-learning modules (URLs), seminars, exhibitions, etc.**

In 2020 HIPO participated in the teaching of intellectual property protection as an independent subject of a semester in 15 faculties of 10 universities, and at a further 6 universities the teaching of IP rights protection was integrated into a subject offering entrepreneurial /technical/legal /social and/or scientific knowledge.

After the Government declared the state of danger due to the pandemic, HIPO significantly revised its education and training concept, prepared its online training scheme on MS Teams platform, and rescheduled its ongoing and already announced trainings accordingly.

For the eighth time in 2019-2020, HIPO invited applications for the "Ujvári János Award for Diploma Works", the purpose of which is to make graduating students of higher education explain the intellectual property protection aspects of their theses or dissertations. The basic, intermediate and advanced level industrial property courses, the basic and intermediate level copyright courses as well as the specially targeted courses organised by HIPO play an important role in the knowledge sharing of intellectual property.

Eight basic level industrial property courses were organised with a total of 179 participants. Intermediate level industrial property courses started twice with 34 participants. The II. and III. trimester of the ongoing advanced level industrial property course continued with 26 participants.

It is an important achievement that in 2020 HIPO accredited its trainings with the Hungarian Bar Association and the Pest County Government Office (adult training accreditation). On 25 March 2020 the Hungarian Bar Association's Accreditation and Education Committee registered HIPO on No. AK001009/2020. Due to the pandemic, the first accredited training for attorneys-at-law was held in the second half of the year and it attracted great interest.

In 2020, the total number of hours of intellectual property protection related courses taught in cooperation with HIPO amounted to 1120 number of hours of education with 2421 persons attending those courses.

That is, the number of hours increased by 77%, and the number of students by 12% compared to 2019.

E-learning modules:

<http://www.sztnh.gov.hu/hu/sztnh/szellemitulajdon-vedelmi-kepzes/tavoktatas>

<http://www.sztnh.gov.hu/hu/sztnh/szellemitulajdon-vedelmi-kepzes/altalanos-es-kozepiskolas-szellemitulajdon-vedelmi>

**Other activities**

## **VI. INTERNATIONAL COOPERATION ACTIVITIES IN THE FIELD OF PATENT INFORMATION**

**International exchange and sharing of patent information in machine-readable form, e.g., priority documents, bibliographic data, abstracts, search reports, full text information**

Bibliographic data including CPC, abstracts and titles in English and published and granted patent documents are sent to the EPO databases.

### **Participation in international or regional activities and projects related to patent information**

Visegrad Patent Institute

In the case of international patent applications filed under the Patent Cooperation Treaty (PCT), as from 1 July 2016, applicants may also choose – besides the European Patent Office (EPO) – the Visegrad Patent Institute (VPI) as an international searching authority and an international preliminary examining authority, i.e. as a PCT Authority. Accordingly, the VPI prepares international search reports (ISRs) and international preliminary examination reports (IPERs) in English.

In 2020, the VPI received 123 requests for international search reports and 6 requests for international preliminary examination reports. Nearly two thirds of the requests were submitted in a national language (Hungarian, Czech, Polish and Slovak), and 35% were submitted in English.

As of 1 June 2017, the VPI receives international patent applications from nationals, enterprises and other organisations established in Lithuania, and as of 1 September 2020 also from Serbian users. Concerning the first Serbian application received by the VPI in 2020, it was HIPO that carried out the requested international search.

HIPO represented Hungary in the international cooperation within the framework of WIPO, and participated in the committees, working groups and important events of the organisation. At the 60th series of meetings of WIPO (7-8 May 2020), its General Assembly and the Assemblies of the Paris and Berne Unions unanimously appointed Mr. Daren Tang Director General of WIPO for the period of 1 October 2020 to 30 September 2026. The Office, in cooperation with the Permanent Mission of Hungary in Geneva, played an active role in the appointment proceedings.

We consider it a great success of Hungarian IP diplomacy that Ambassador Zsuzsanna Horváth was elected Chair of WIPO's Coordination Committee at the 61st series of meetings of WIPO (21-24 September 2020).

The third, online meeting of the Working Group on the Development of the Lisbon System was held on 2-3 November 2020. Csaba Baticz, Head of Department was elected one of the Vice-Chairs of the working group.

### **Assistance to developing countries**

**Other activities**

## **VII. OTHER RELATED MATTERS**

1. Classification is allotting one or more classification symbols (e.g., IPC symbols) to a patent application, either before or during search and examination, which symbols are then published with the patent application.

2. Preclassification is allotting an initial broad classification symbol (e.g., IPC class or subclass, or administrative unit) to a patent application, using human or automated means for internal administrative purposes (e.g., routing an application to the appropriate examiner). Usually preclassification is applied by the administration of an office.

3. Reclassification is the reconsideration and usually the replacement of one or more previously allotted classification symbols to a patent document, following a revision and the entry into force of a new version of the Classification system (e.g., the IPC). The new symbols are available on patent databases.