

CWS.ATR.TM.2013.HU

Annual Technical Report 2013 on Trademark Information Activities submitted by Hungary (CWS/ATR/TM/2013/HU)

Where URLs are requested below, it is preferred that either URLs which are likely to remain stable over time (three years or more) are provided, or home (main) page URLs are provided with a short explanation of how to access the corresponding information.

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

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

The Jedlik Plan: National Strategy for the Protection of Intellectual Property

The Jedlik Plan is the first comprehensive government strategy in Hungary that puts intellectual property in its centre. The strategy is for the years from 2013 to 2016 and it fixes mid-term objectives in the field of intellectual property. Along more than forty lines of action the document prescribes more than one hundred measures. All those measures are grouped in the following four main pillars: industrial property protection for the advancement of the national economy; copyright for the development of creative industries and of culture; intellectual property tools in the service of national policy and certain government policies; improvement of the capacities of intellectual property institutions.

The strategy was submitted by the HIPO to public consultation in January 2013. The Jedlik Plan was adopted by the Government on 14 August 2013. Government Decision No. 1666/2013 (IX.23.) on the Adoption of the National Strategy for the Protection of Intellectual Property and the tasks related to its implementation was published on 23 September in the Hungarian Official Gazette and entered into force on 24 September 2013. The National Development Programme on Intellectual Property will advance the realization of the objectives of the strategy; the Programme will be the subject of a proposal based on a new framework to be introduced in 2014. Preparations of the proposal and the mapping out of financial resources for the Programme have already begun during the past year.

Changes in Acts relating to Intellectual Property

On 7 October 2013, the Parliament adopted Act CLIX of 2013 on the Amendment of certain Acts relating to Intellectual Property which contains primarily amendments to the Patent Act, the Trade Mark Act, the Copyright Act and the Innovation Act.

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

In the first half of 2013, at the initiative of the National Board Against Counterfeiting (NBAC), thorough consultation has been conducted with the Department of Criminal Law Codification of the Ministry of Public Administration and Justice on the amendment of criminal law legislation that would make possible the simplified procedure for destruction under customs control according to Regulation 1383/2003/EC. As a result of the consultations the Criminal Code and the Act on Regulatory Offences were amended in the second half of 2013 and the amendments entered into force as of 1 January 2014. Government Decree 556/2013 (XII.30.) on customs authority measures against goods infringing certain intellectual property rights, which entered into force on 1 January 2014, contains the rules necessary for the implementation in Hungary of Regulation (EU) No 608/2013 concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No 1383/2003.

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

The Unified Administrative System comprises the public and non public data: bibliographic and image data, the documents and the official letters that belong to the different intellectual property rights. This system is the source of the most online public databases accessible via the website of the HIPO, such as GAZETTE, IP-SEARCH, E-REGISTER, E-DOSSIER. The IP-SEARCH database has an internal version for internal use only with the additional data that are not accessible for the public.

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

The number of international (under the Madrid Agreement) trade mark applications in Hungary slightly increased in 2013, that means, it stayed almost at the level experienced in 2011. Domestic applicants filed 304 international (under the Madrid Agreement) trade mark applications, which is a 4% increase in comparison to the previous year's figure.

The number of trade mark applications filed in national route shows a decrease compared to the outstanding application number in the previous year. The decrease of filing activity is also due to the fact that the use of favourable support possibilities available in 2012 were no longer, or to a more restricted extent, available in last year. 89% of the trademark applications filed following the national route came from domestic applicants. Nevertheless, the number of foreign applications filed directly at the HIPO has fluctuated between 420 and 430 for three years already.

The number of trade marks valid in Hungary was 55 942 at the end of 2013 that is basically same as in the previous years.

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

See further data and statistics of trademark and geographical indication activities in Annual Report 2013 (pages: 57-61).

[STAT-TM](#)

II. SERVICES AND ACTIVITIES RELATED TO TRADEMARK 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

Guides and Forms: http://www.sztnh.gov.hu/kiadv/ingy_magy/

E-filing and administration: <https://ugyintezes.hipo.gov.hu/eBej2/app>

The following intellectual property rights can be managed electronically:

Patent, Supplementary Protection Certificate, Plant varieties, Utility models, Trademarks, Geographical Indications, Design protection, Topography, Voluntary register of works, Orphan works, R&D Assessments.

24 hour terminal

In order to increase customer satisfaction a terminal was set up for customers to ensure they can file submissions also outside the normal registry time. This terminal quickly became popular among clients and its capacity is more and more extensively used, 1965 applications were submitted through the terminal in 2013.

Availability of the application dossier in electronic form

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

Matters concerning classifying

(i) Classification and reclassification activities; classification systems used, e.g., International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification), International Classification of the Figurative Elements of Marks (Vienna Classification), other classification
(ii) Use of electronic classification systems and pre-defined terms of the classification applied

Nice Classification and Vienna classification systems are used.

III. SOURCES OF TRADEMARK INFORMATION PROVIDED BY THE OFFICE

Main types of publications in the field of trademark information, outline of the content and medium (on paper, on CDs, online – URLs)

The public online databases: GAZETTE, IP-SEARCH, E-REGISTER, E-DOSSIER are used by the Examiners and the public. The IP-SEARCH database has an internal version for internal use only with the additional data that are not accessible for the public.

Home page of the Office:

<http://www.sztnh.gov.hu/English/vedjegy/index.html>

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

Official Gazette is accessible online, frequency of publication: twice a month.

<http://www.sztnh.gov.hu/kiadv/szkv/>

Information products (coverage, medium, etc.) available to examiners, including external documentation and databases

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.

The public online databases: GAZETTE, IP-SEARCH, E-REGISTER, E-DOSSIER are used by the Examiners and the public. The IP-SEARCH database has an internal version for internal use only with the additional data that are not accessible for the public.

Information products (coverage, medium, etc.) and services available to external users; conditions of access (e.g., free of charge, subscription, etc.)

Public online databases: GAZETTE, IP-SEARCH, E-REGISTER, E-DOSSIER are available to external users, free of charge.

See homepage of the Office: <http://www.sztnh.gov.hu/>

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

Legal status information (not certified) is available online: E-file inspection free of charge:

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

Anyone can get information about the validity of patents. Our Office issues copies of entries in the register (certified statements on the validity of protection) on payment of a fee.

IV. ICT SUPPORT TO SERVICES AND ACTIVITIES RELATED TO TRADEMARK INFORMATION CARRIED OUT BY THE OFFICE

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

Integrated Quality Management and IT Security System in the HIPO

The mission of the HIPO as a governmental centre for the protection of intellectual property and an authority providing quality services is to operate effectively and to develop in a balanced manner the system of industrial property protection and of copyright. In order to achieve this at the highest possible level the HIPO undertook in 2010 to voluntarily introduce the integrated ISO 9001:2008 Quality Management and the ISO /IEC 27001:2005 Information Security Management Systems for the large majority of its core tasks and for certain of its functional tasks.

The system was first certified in December 2010 by SGS Hungária Ltd. The certificate was valid for a period of three years, therefore, following the successful annual supervisory audits the HIPO, besides re-certification, set as an objective to extend the quality management system and to introduce a new standard in respect of the IT services provision. The audit which ended in December 2013 was conducted by SGS Hungária Ltd. and was successful both in respect of the re-certification of the extended system and of the IT services management system.

Consequently, as of 1 January 2014, the activity of the HIPO complies with the requirements of three ISO standards. The HIPO meets the requirements of the ISO 9001:2008 quality management system in the following areas: official examinations and proceedings belonging to its competence in industrial property protection and copyright, documentation and information activity of the State, as well as services provided within the framework of its core tasks. The security of the information systems used for the above mentioned activities and for additional tasks set out in the Deed of Foundation was certified according to the ISO/IEC 27001:2005 Information Security Management System. Beyond the re-certifications, as a result of the audit conducted in December 2013, the HIPO also obtained the certificate for the ISO/IEC 20000-1:2013 IT Services Management standard in respect of the IT infrastructure and software application services provided by its IT Development and Operation Department for its internal and external clients.

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 to the public). The incoming paper documents are scanned, the electronic incoming documents and images are downloaded to the database continuously. New software tools supporting business procedures within the Office are under development.

Hardware used to supporting business processes of the Office

Servers:

Unix Tru64 server: 2 peaces
Linux server: 45 peaces
Netware server: 1 peace
MS Windows server: 27 peaces
VMware ESX: 11 peaces
Oracle VM/RAC: 2 peaces
ASA VPN: 2 peaces
ZORP: 2 peaces

286 workstations (Windows Xp)
41 notebook (Windows Xp)
140 printer

Internal databases: coverage, updates, interlinks with external sources

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 to the public).

ACSEPTO is used as in-house system, covering the E-SEARSH system (HU), CTM-online system (OHIM) and ROMAREN.

The CTM-online system (OHIM) and ROMAREN are accessible through ACSEPTO.
In special cases 6ter is also used.

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

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The Unified Administrative System and the electronic public databases have a daily update.

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

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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.

V. PROMOTION ACTIVITIES AIMED TO SUPPORT USERS IN ACCESS AND EFFICIENT USE OF TRADEMARK INFORMATION

Office's library (if deals with trademark information): equipment, collection management, network of libraries in the country, cooperation with foreign libraries

Frecskay János Industrial Property Special Library, with its collection and the attitude of the staff providing special information. The number of visitors keeps on growing, in 2013 altogether 2615 customers requested special information.

The Library obtained 392 volumes in 2013. The number of records available in HunTéka integrated system for libraries was more than 52 000 in December 2013, which an increase by more than 5% compared to 2012.

The Gazette of Patents and Trademarks has been published electronically and accessible on the website of the HIPO free of charge, in searchable pdf-form, authenticated by electronic signature. The interest in the publication was still significant in 2013: users downloaded 2 618 000 pages in a year.

For 8 years, the Industrial Property and Copyright Review has been issued as a separate special publication, which is also available with a half-year delay in electronic form on the website of the HIPO.

The quarterly issued Newsletter on IP Protection of the National Intellectual Property Council is a regular publication. Special publications were prepared for the Bureau of the Hungarian Design Council and the NBAC, such as MFT Start Up Guide 8, the materials of the design conference of WIPO, and the materials of the prize-giving ceremony of "Only original" contest and the roundtable discussion on counterfeited contemporary works.

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

See the webpages of HIPO:

For entrepreneurs: <http://www.sztnh.gov.hu/kinek/>

Services: <http://www.sztnh.gov.hu/szolgalatasok/>

Publications: <http://www.sztnh.gov.hu/kiadv/index.html>

IP awareness: <http://www.szellemitulajon.hu>

In 2013, the website of the HIPO was visited 774 700 times by 475 700 individually identified visitors, both figures mean an increase of 11% compared to the previous year.

Similarly to the previous years, there was a high interest in the Gazette of Patents and Trademarks. In 2013 2 616 555 files were downloaded by the visitors, 74% of them was accessed through Hungarian and 26% through English platform.

More than 884 000 pages were downloaded from the website of the NBAC, which has been operating with a new image and structure since the middle of November of 2013.

The website raising IP awareness (www.szellemitulajon.hu) had 68 382 visitors in 2013.

CUSTOMER SERVICE AND SERVICES AGAINST PAYMENT

In 2013, the HIPO received 22 440 enquiries, which means a high interest; however, the number of enquiries of customers decreased by 7% compared to the previous year. The information provided for customers requesting public data is done more and more frequently by giving information on the use of databases, so that the customers will be familiar with them, and they can use them without assistance. This might be the reason of the slight and continuous decrease of the number of data supplies.

The number of requests received by phone calls (9200) remained at the same level.

The number of electronic enquiries requesting substantive answers increased: 1566 of such enquiries were received in 2013. In additional 2323 cases the enquiries requested information from databases.

The number of enquiries in person decreased by 12% to 6572 in 2013.

80% of the substantive enquiries were answered by the customer service, 15% of them in English.

Similarly to the previous year the requests for information mainly aimed at trade marks with more than 6000 enquiries, the other important fields were patents and general information with 2427 and 1387 enquiries respectively, in 2013.

In 2013 135 official enquiries on intellectual property were received by the customer service, most of them were submitted by the NTCA (110) and related to trade marks (108). More than 400 complex searches were carried out in respect of the enquiries. In its responses, the HIPO drew the attention to the option of uses of the e-register data base. As a result, more and more officers use this data base and request only confirmation from the HIPO concerning the data found.

The HIPO offered to its customers, in addition to free of charge customer services, a wide range of advanced level IP services against payment. They include, from 1 February 2013, the service of "express trade mark filtering", as a favourable option offered to private applicants, which succeeds the former service "simplified trade mark filtering".

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Cooperation with universities, technology and innovation support centers, etc.

In March of the last year Dr. József Pálincás, President of the Hungarian Academy of Sciences and Dr. Miklós Bendzsel, President of the Hungarian Intellectual Property Office signed a cooperation agreement. The purpose of the cooperation lasting till 31 December 2014 is to raise the protection of intellectual works and the IP awareness of the Hungarian scientific and research circles, as well as to support the practice of value-based research and development in the institutions of the Hungarian Academy of Sciences (HAS). In this spirit the HIPO engaged itself to hold, similarly to the previous years, professional consultations and trainings to the staff of the institutions of the HAS.

In its relationships the HIPO promoted the project "Support of the industrial property protection of Hungarian intellectual property works in Hungary and abroad", (code name: IPARJOG_12), ensuring Non-refundable support for obtaining and maintaining industrial property protection of intellectual property works in Hungary and abroad financed from the Research and Technology Innovation Fund. As a result of the application deadline extended till the end of 2013, 90 cases of the 250 applications received have been finished with positive decision providing support in a total amount of 96 million HUF. In 50 cases the decisions are expected in 2014.

Within the framework of the cooperation linked to VIVACE 2013 programme the HIPO participated in the preparation, organisation and arrangement of 8 events in Budapest and other locations. The international symposium and training "Intellectual Property and Valuation – Support of Business Planning of SMEs", jointly organised by HITA and the United Nations can be highlighted.

In 2013, the HIPO cooperated with 10 county chambers of industry, 6 PATLIB centres, 7 regional innovation agencies and 2 professional organisations (HITA, SEED) related to professional programmes.

The PATLIB network supporting the major universities of Hungary continuously operated last year, the PATLIB centres provided information for the public. In addition, the HIPO had cooperation with several partners without agreements (DA-RIÜ South Great Plain Regional Innovation Agency, North Great Plain Regional Development and Innovation Agency, North Hungary Regional Innovation Agency, Central Transdanubian Regional Innovation Agency, West Transdanubian Regional Innovation Agency).

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

The industrial property courses organised by the HIPO, as an office disseminating knowledge on intellectual property for decades, have been substantially contributing to the development of the Hungarian IP culture, to the raising of IP awareness, and to the education of the new professional generation.

37 persons participated in the elementary level industrial property course and passed the exam successfully in 2013. Most of the participants came from small and medium enterprises.

The intermediate level industrial property course was finished and the exam was successfully passed by 50 persons. The participants were mainly the representatives or employees of pharmaceutical companies, enterprises, institutions of the public administration and higher education, law and attorney offices, organisations supporting innovation activity, as well as 15 employees – dealing with innovation matters – of the Hungarian Chamber of Commerce and Industry.

32 participants of the advanced level industrial property course started in 2011 prepared and defend their thesis in 2013. In September a new course started with 51 participants, 23 from the HIPO/HIPAvilon and 28 from other organisations.

9 persons participated in the exam for patent attorneys in 2013, 8 of them successfully passed the exam.

Lectures on intellectual property, as separate subject, were held in 10 universities (Corvinus University of Budapest, Budapest University of Technology and Economics, Eötvös Lóránd University, University of Miskolc, Moholy-Nagy University of Art and Design, University of West Hungary, Óbuda University, University of Pécs, Széchenyi István University, Szent István University).

Knowledge on intellectual property attached to subjects including knowledge on business, technology, law, social science, and/or natural science was taught at 5 universities (Corvinus University of Budapest, Eötvös Lóránd University, University of West Hungary, Óbuda University, University of Pécs).

The HIPO established professional, training and other cooperation with several institutions. Besides the government and the councils or boards (NIPC, HDC, NBAC) the most significant ones are as follows:

Professional cooperation: Hungarian Academy of Sciences, Hungarian Association for Innovation, Hungarian Association for the Protection of Industrial Protection and Copyright, Hungarian Academy of Engineering, Hungarian Trademark Association, the Federation of Technical and Scientific Societies, National Innovation Office, Hungarian Investment and Trade Agency, county organisations of the Hungarian Chamber of Commerce and Industry, Pannon Novum West Transdanubian Regional Innovation Non-profit Ltd., PATLIB centres, regional Innovation Agencies, NOVOFER Foundation, Idea Club 13 Association, SEED Foundation, Budapest Music Centre, Molnár-C. Pál Studio and Museum Foundation, Petfi Museum of literature, Typotex Publishing House, Ybl Association.

Cooperation in higher education: Corvinus University of Budapest, Budapest University of Technology and Economics, Eötvös Lóránd University, University of Miskolc, Moholy-Nagy University of Arts and Design, University of West Hungary, Óbuda University, University of Pécs, Semmelweis University, Széchenyi István University, Szent István University.

Professional communication agreements: Agrárágazat (Sector of Agriculture), Agrárium, Duna Television – Novum Solar Film, Élet és Tudomány (Life and Science) Association, Gazdasági Rádió (Economics Radio), Innoportál, Innotéka, Legal Gazette, Mérnöknap (website on engineering), Napi Gazdaság, Világgazdaság, Technika-Mszaki Szemle (Technology Review), Természet-Tudomány Alapítvány (Nature-Science Foundation), Természet Világa (World of Nature Gazette), Tudományos Ismeretterjesztő Társulat (Scientific Educational Association), Club of Hungarian Science Journalists.

Other activities

The mission of the Hungarian Design Council (HDC) is to strengthen the competitiveness of the Hungarian national economy by means of design, raising awareness of the possibilities of design to create values, and promoting the traditions and new results of design. In 2013 the HDC conducted its activity by building on the results of previous work; the framework of its activity was laid down by Government Decree No 266/2001 (XII.21.) and by its own rules of procedure, as well as by its three year work programme and annual work plan.

See more: Hungarian Design Council: <http://www.sztnh.gov.hu/testuletek/mft/>

In 2013, the National Board Against Counterfeiting (NBAC) operated on the basis of Government Decree No. 287/2010 (XII.16.) and along the lines of action laid down in the action plan against counterfeiting adopted in 2011. At present three working groups and a section are operating within the framework of the NBAC; in 2013 they held all together ten meetings, the plenary sitting of the NBAC took place on 27 November 2013 under the chairmanship of dr. Róbert Répássi, State Minister for Justice.

See more in Annual Report 2013, pages 34-36: <http://www.sztnh.gov.hu/hivatalrol/>

National Board Against Counterfeiting: <http://www.sztnh.gov.hu/hent.html>

VI. INTERNATIONAL COOPERATION ACTIVITIES IN THE FIELD OF TRADEMARK INFORMATION

International exchange of trademark information in machine-readable form (e.g., Official Gazettes)

HIPO is one of the participating offices in the TMview.

Participation in international or regional activities and projects related to trademark information

The HIPO took active part, among others, in the elaboration of the Hungarian negotiating position in the discussions on the draft regulation of the EU on customs enforcement of intellectual property rights, and the position concerning the protection of geographical indications of spirit drinks.

One of the most important developments of the year in respect of EU legislation was the regulatory reform of the Community trade mark system. The HIPO actively participated in the informal consultations related to the trade mark reform, in forming the Hungarian negotiation position and in strengthening the Hungarian governmental position.

In the system of expert groups of the Inter-Ministerial Committee for European Coordination dr. Mihály Ficsor, Vice-President of the HIPO for Legal Affairs, holds the position of the chair of the expert sub- group responsible for intellectual property.

The HIPO elaborated the draft of the Member State's governmental responses related to the consultation with the Commission concerning the application of the Directive on the enforcement of intellectual property rights. The HIPO participated in the elaboration of the Hungarian negotiating positions concerning the draft Implementing Regulation of the EU on the protection of geographical indications of spirit drinks, and the new draft EU Directive on tobacco products. Moreover, the HIPO elaborated and represented the negotiating positions and mandates in respect of the negotiations on the draft Directive, related to copyright and neighbouring rights, on collective rights management and multi-territorial licensing of musical works for online use. The experts of the HIPO actively participated in the three-phase opinion giving process for the prototype of the European orphan works' database to be established at the Office for Harmonisation in the Internal Market (OHIM).

The HIPO fulfilled its obligations arising from the cooperation agreement for 2013 concluded with the OHIM. The employees of the HIPO participated in the ordinary meetings of the Administrative Board and Budget Committee of OHIM, in the Liaison Meetings on trade marks, on design and on technical cooperation, in the meetings of the working groups of the Cooperation Fund and Convergence Programme of OHIM.

The Administrative Board (AB) of OHIM, comprising of the representatives of the member states and the EU Commission and their deputies, re-elected dr. Mihály Ficsor to the position of President of the AB.

Last year was especially successful in the cooperation between the HIPO and OHIM. The TMClass online classification tool – as a result of the unification and harmonisation of the Hungarian classification database – offers a valuable help to the applicants. The cooperation on the taxonomy project running under the Convergence Programme was also successful, since a common interpretation could be formed and two joint declarations could be issued in relation to the Nice classification. A new common practice was established for black and white trade marks, which was approved by the Administrative Board.

In March 2013, the HIPO, in cooperation with OHIM, organised a professional forum entitled "Hungarian IP Day" presenting the mission and operation of the European Trademark and Design Network, the Observatory and the Cooperation Fund. A keynote speaker of the event was Mr António Campinos, President of OHIM.

Other activities

An international conference and workshop entitled "Economic Aspects of Intellectual Property Rights" was jointly organised by the HIPO and WIPO in the building of the HIPO on 15 and 16 April 2013. Representatives of organisations, universities, the Hungarian and international market sector held presentations and discussions on the role of intellectual property rights in the economy, on the latest trends and challenges. On the second day experts from the regional countries discussed the working material of WIPO on this matter.

VII. OTHER RELATED MATTERS