

CWS.ATR.TM.2011.HU

Annual Technical Report 2011 on Trademark Information Activities submitted by Hungary (CWS/ATR/TM/2011/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. Evolution of registration activities

Changes experienced in terms of application filings and registrations with respect to the previous year

As a consequence of the strengthening of the Community trade mark system, the number of international (under the Madrid Agreement) trade mark applications in Hungary was 2117, which is an 11% decrease. By virtue of the figure recorded last year, it can be laid down that the extent of downturn slowed down. More than 105 000 Community trade mark applications also covering Hungary were filed.

Hungarian applicants filed 357 Community trade mark applications, which is an 8% decrease compared to the rise in the previous years. Domestic applicants filed 253 international (under the Madrid Agreement) trade mark applications, which is a 47% increase.

Both in the cases of the domestic and the foreign applicants, the applications filed by institutions (enterprises) dominated compared to the applications filed by individuals: 77% of the domestic applications, 96% of the foreign applications came from institutions.

The five classes most frequently indicated in the trade mark applications filed following the national route were: advertising, business management (Class 35), education, training, sporting (Class 41), pharmaceutical, sanitary preparations (Class 5), other services, computer programming, scientific research (Class 42) and paper, packaging materials (Class 16).

Nearly 90% of the trade mark applications filed following the national route came from domestic applicants; the number of foreign applications filed directly with the Office was 425.

The number of trade mark applications filed following the national route was 4197, which is 7% more than in the previous year. The number of applications decreased in the first half of the year then increased again. Last year the activity of domestic applicants expanded surpassing the average, that is, more by 8%. The three largest applicants of the last decade concerning national trade marks were Gedeon Richter Plc. (778), Egis Plc. (388) and Hungarian Telekom Plc. (203).

International trade mark applications

International trade mark applications (under the Madrid system): 2 374 (2010); 2 117 (2011)
Community trade mark applications: 98 217 (2010); 105 857 (2011)

National trade mark applications

Domestic trade mark applications: 3447 (2010); 3772 (2011)
Foreign trade mark applications: 446 (2010); 425 (2011)
Applications filed following the national way in total: 3923 (2010); 4197 (2011).

To the general satisfaction of applicants, the time until the publications of trade mark applications was short, 3.6 months on average. The full processing time of registration procedures – including the three months following the publication and the minimum one month period between posting of the search report and the publication – did not reach 7 months.

Figures of - national, international, Community – trade marks valid in Hungary
Valid national trade marks: 52 061 (2010); 53 973 (2011)
Valid international trade marks (under the Madrid system): 141 069 (2010); 121 145 (2011)
Registered Community trade marks: 698 734 (2010); 792 625 (2011).

59% of the valid national trade marks were owned by Hungarian right holders, followed by the US (15%), German (4%), British (3%), Swiss (2%) and Japanese (2%) right holders.

The five most frequently indicated classes in the valid national trade marks – similarly to the previous year – were: 1) advertising, business management (Class 35); 2) pharmaceutical, sanitary preparations (Class 5); 3) education, training, sporting (Class 41); 4) paper, packaging materials (Class 16); 5) instruments for scientific purposes (Class 9).

55% of the valid national trade marks totalling more than 53 000 were 10 years old or "younger", and 93% of the trade marks were 20 years old or younger.

Trends or areas experiencing rapid changes with respect to the previous year

Considerably increased the customers' interest in accelerated and in particularly accelerated procedures. Customers requested accelerated procedure in 230 cases, which shows 59 % increase. Particularly accelerated procedure was requested in 51 cases. With respect to the national trade mark procedures, the number of oppositions slightly decreased compared to the previous year: 172 oppositions were received.

Due, among others, to the improvement of the quality of administration, the number of inter partes cases after trade mark registration decreased as much as 20 %. The Office proceeded in 61 inter partes cases covering national trade marks, of which 42 were requests for cancellation and 17 for revocation. We managed to keep short, the processing time as well.

URLs of web pages of the Office's website that provide statistics related to trademarks

<http://www.sztnh.gov.hu/hivatalrol/>

II. Matters concerning the generation, reproduction, and distribution of secondary sources of trademark information, i.e., trademark gazettes

Publishing, printing, copying techniques

Gazette for Patents and Trade Marks

Gazette is produced in electronic form by a new, automatic method. Thus, from July 2010, users can access the Gazette for Patents and Trade Marks in a renewed form on the website of the Office. As a result of the automatic generation of data, the time required for the production of the Gazette has significantly decreased, while the consistency of its data content has been considerably improved.

The data content of the Gazette for Patents and Trade Marks has not been changed, it is, however, displayed in a single column format to make it easy to use and to facilitate search in it. The Gazette continues to be published in PDF format and is certified by electronic signature. The frequency of its publication remains unchanged, thus the national and international trade mark columns of the Gazette continue to be published twice a month.

E-REGISTER

The E-REGISTER is an electronic register of the industrial property applications filed with the Hungarian Intellectual Property Office (HIPO) and of the industrial property rights granted/registered by the HIPO, as well as a register of the licences granted for orphan works of copyright. It is available without charge or prior registration.

From 1 March 2011, the official industrial property and copyright registers are available on the website of the HIPO.

The authoritative electronic register with authentic records is only accessible in Hungarian. In order to carry out search in English - based on the records available in English - among the applications filed with the HIPO and the intellectual property rights granted/registered by the HIPO, as well as in the data of the international and EU/Community industrial property rights effective in the territory of Hungary, IP search service should be used.

IP search

IP search is a database of the Hungarian Intellectual Property Office (HIPO) available for the general public, which makes detailed search possible in the data of the electronic register of HIPO, as well as in the data of the international and Community industrial property titles of protection effective on the territory of Hungary.

The Hungarian Intellectual Property Office's IP-search database covering all industrial property titles of protection – as the only complete domestic source of industrial property information – replaces the Public Industrial Property Aggregate Collection for Search (PIPACS) from 1 June 2011. From this time on, we can offer access to a wider range of the public wealth of data, as compared to previously, with the help of the documents attached to the e-search database.

With the Simple search interface users may search all titles of protection in the database – with the help of this service one can map the entire industrial property portfolio of an institution.

Selecting Advanced search one can get answers to complex queries within each title of protection.

Public file inspection database (E-Dossier)

Public file inspection is a database of the Hungarian Intellectual Property Office (HIPO) available for the general public, which contains the electronic version of published documents.

Main types of announcements of the Office in the field of trademark information

Official notices are published in the Gazette for Patents and Trade Marks, and are also published at the Office's website.

URLs of web pages of the Office's website that provide access to online trademark gazettes and to other sources of trademark information, including download of bulk trademark data

IP-SEARCH: <http://epub.hpo.hu/e-kutatas/?lang=EN>

E-REGISTER: <http://www.sztnh.gov.hu/English/e-register/index.html>

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

GAZETTE: <http://www.sztnh.gov.hu/English/kiadv/sztkv/>

III. Matters concerning classifying, reclassifying and indexing of trademark information

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 (please indicate whether goods and services for the registration of marks and whether the figurative elements of marks are classified by your Office and, if so, which classification(s) is (are) used)

Classification used:

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),

Bibliographic data and processing

Data of all intellectual property protections are stored in the Unified Administrative System of the Office. Examiners can access all data and documents stored in the database.

The new electronic information services covers the data accessible for public inspection. : E-gazette made automatically with short lead time; the electronic and certified E-register being accessible online; the search platform based on new technology and continuously updated (E-search); platform providing electronic document inspection; the electronic register extract to the customers, as well as creating the communication platform providing online administration.

IV. Trademark manual search file establishment and upkeep

File Building

Unified Administrative System is used for managing intellectual property protections, which serves E-SEARCH database.

Updating

E-SEARH is a real-time database.

Documentation from other offices maintained and/or considered part of the available search file

Community Trademarks are accessible in the E-SEARCH database.

V. Activities in the field of computerized trademark search systems

In-house systems (online/offline)

E-SEARCH database is used.

External databases

TMView and ACSPTO databases are used.

Administrative management systems (e.g., register, legal status, statistics and administrative support)

Unified Administrative System is used for managing Trademarks.

VI. Administration of trademark information products and services available to the public (relating to facilities, e.g., for lodging applications, registering trademarks, assisting clients with search procedures, obtaining official publications and registry extracts)

Planning, administration, automation, security

New electronic information services are accessible in the Patent Library for its clients.

All official data are in the Unified Administrative System of the Office.

New: electronic information services are: E-gazette made automatically with short lead time; the electronic and certified E-register being accessible online; the search platform based on new technology and continuously updated (E-search); platform providing electronic document inspection; the electronic register extract to the customers, as well as creating the communication platform providing online administration.

Information services available to the public (including computerized services and search files contained in libraries remote from your Office and trademark information posted by your Office on the World Wide Web)

Homepage of the office provides a lot of information concerning the official processes, and other practical information, eg.: eg.: how to file a trademark application, how to search, etc.?

URLs of web pages of the Office's website for electronic filing of trademark applications

<https://ugyintezes.hipo.gov.hu/eBej2/Step1Case4.page;jsessionid=039038EB70C7360253E41B1B492EC4F6>

URLs of web pages of the Office's website that provide information on business procedures such as: filing, publication, examination and registration procedures related to trademarks; opposition and appeal procedures related to trademarks; etc.

<http://www.sztnh.gov.hu/vedjegy/>

URLs of web pages of the Office's website that provide a description of information products and services offered by the Office (e.g., trademark search service(s) and trademark databases), as well as information on how to access and utilize them

Available trademark services:

Simplified Trademark Filtering

Trademark Search

Trademark Monitoring

CETMOS - Regional Trademark Similarity Search .

VII. Matters concerning mutual exchange of trademark documentation and information

Exchange of machine-readable information

HIPO is one of the participating offices in the TMview project.

VIII. Matters concerning education and training, including technical assistance to developing countries (please indicate URLs of web pages of the Office's website wherever appropriate)

Promotional activities (seminars, exhibitions, visits, advertising, etc.)

New ways of education and providing information

In order to disseminate intellectual property culture and to widen the awareness of those being active in higher education, in the academic sphere, in R&D and SME sectors the HIPO supports awareness rising and education on intellectual property with a well-elaborated education portfolio.

The HIPO, in cooperation with institutions of higher education, took part in the organisation of education on intellectual property in 2011. In order to disseminate intellectual property culture and to widen the knowledge of students studying and researching in institutions of higher education the HIPO, since 2000, has been inviting applications for graduating students to support their thesis/dissertation. In 2011, 108 applications were received. In addition, the HIPO also cooperates with other professional and social organisations to hold courses on industrial property protection and trainings (mainly for heads of academic research institutions, judges, prosecutors, police and customs experts, and others).

Parallel to the publication of printed course materials, a new module of the distance learning package "Intellectual Property Protection" of the HIPO was prepared in 2011, which was first used in the last semester by the institutions of higher education in Budapest, Gödöllő and Szolnok. The course material - covering the whole semester and dealing exclusively with intellectual property protection - of this distance learning package is available on the website of the HIPO, after registration, for the public.

The VIVACE+ programme improving the awareness on industrial property protection of enterprises was continued in 2011. Within the frameworks of the programme the HIPO cooperated with 14 partners. On the basis of the signed cooperation agreements the contracted regional chambers of commerce and industry and university PATLIB centres offer consultation on intellectual property protection, and - in cooperation with the HIPO - they wish to demonstrate the issues of this special field in different events. Under the programme the contracted partners performed mainly client service information activities, and they organised events on industrial property protection in cooperation with the HIPO. In addition to the topics on intellectual property, in these events the participants, in total 1 100 persons, could receive also other information which can be useful for enterprises.

Training courses for national and foreign participants

The HIPO organises intellectual property courses in three levels in Budapest and countrywide. The courses organised by or with the assistance of the HIPO have been attended by 1 650 persons, in more than 1 000 lessons in total. The surveys on the students' satisfaction, prepared according to the quality management system, gave positive feedbacks. The basic level industrial property course book was published, the renewed intermediate and advanced level course books will be published this year. As a part of the education portfolio, the course book on copyright is expected to be published this spring. In autumn the patent attorney exam of the year 2011 was successfully passed by five candidates.

IX. Other general information related to the Office that is available on the Internet -- URLs of web pages of the Office's website that:

provide information on legislation related to trademarks

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

contain the Annual Report of the Office

<http://www.sztnh.gov.hu/hivatalrol/>

contain trademark-related news regarding the Office

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

X. Other relevant matters