

# CWS/ATR/PI/2018/HU

## Annual Technical Report on Patent Information Activities in 2018 submitted by 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

The Office considers as objectives of outstanding importance to provide information on the protection of intellectual property, to raise awareness of industrial property right protection and copyright protection, with special emphasis on helping enterprises – especially small and medium-sized ones – to broaden their knowledge of industrial property rights and copy - right protection, and to promote the respect of intellectual property rights.

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

In January 2018 the Visegrad Patent Institute (VPI) became a full member of the Global Patent Prosecution Highway, a network of the 25 most important patent offices in the world. This means that innovative Hungarian enterprises may obtain patents faster and more easily in countries they export to, which can give them a competitive advantage.

On 5 September 2018 a successful supervisory audit was conducted at the VPI which confirmed the validity of its ISO 9001:2015 Quality Management Standard certification.

Act CXX of 2017 on the Amendment of the Rules relating to the Protection of Utility Models significantly amended Act XXXVIII of 1991 on the Protection of Utility Models (Utility Models Act) as of 1 January 2018. So, for example, it further clarified the definition of 'model' and 'inventive step', as well as the relationship of the Utility Models Act with Act XXXIII of 1995 on the Protection of Inventions by Patents; it also amended the conditions of the revocation of utility model protections, the applicable time limits, the possibilities for access to files, determined the rules of the according to a filing date, and introduced the institution of the protectability opinion.

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

#### 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 2018

Patents granted via the national route: 2585

European patents validated by HIPO: 26092

There were 28 677 valid patents at the end of December 2018, which is a 9% increase over the previous year (26 225). The number of validated European patents grew from 23 041 in 2017 to 26 092 in 2018, which represents an increase of 13%. The number of valid patents granted via the national route was 2585, which is 599 less than the number recorded at the end of last year.

#### Requests for validation of European patents in Hungary

Validations in 2017: 5211

Validations in 2018: 5383

Requests for validation in 2017: 4801

Requests for validation in 2018: 5225

The fact that in 2018 the number of requests for validation in Hungary of European patents granted by the EPO increased by 9%, from 4801 to 5225, shows that there is a growing interest outside Hungary in our economy. In 2018, 5383 European patents were validated, which means that the number of such cases increased by 3% compared to 2017.

The number of patent applications filed via the national route in 2018 was 443, out of which 407 applications (92%) were filed by clients having their seat or domicile in Hungary. Of domestic patent applications 42% were filed by individuals and 58% by entities (legal persons). In the case of domestic (Hungarian) applicants the proportion of individual applicants was higher, 62%. At the same time, the proportion of Hungarian entities which filed applications increased by 7%, from 31 to 38%.

#### Supplementary protection certificates

The Supplementary Protection Certificate (SPC) ensures that medicinal products and pesticides can have a longer period of protection. During 2018 HIPO received 47 applications for an SPC. On the basis of the concluded proceedings, the number of SPCs in force at the end of 2018 was 76, and another 176 granted but not yet effective SPCs will take effect later, after the expiry of the relevant basic patent.

#### Plant variety protections

HIPO received 6 applications via the national route for plant variety protection in 2018. At the end of that year 124 definitive protections were in force. During the past year the Community Plant Variety Office (CPVO) received 3554 applications for Community plant variety protection, which is an increase of 4% compared to the previous year. According to the statistical data of the CPVO, at the end of 2018 26 895 Community plant variety protections were in force in the EU (thus also in Hungary), which is an increase of 4% over the previous year.

Number of valid utility models in Hungary at the end of 2018:

Utility models granted via the national route: 847

Pending cases: 320

Applications in 2018: 226

Applications in 2017: 235

Granted rights in 2018: 96

Granted rights in 2017: 157

Closed proceedings in 2018: 313

Closed proceedings in 2017: 283

In 2018 HIPO received 226 applications for utility model protection and 91% of them were filed by domestic applicants; 16 applications were received directly from foreign applicants, and 5 PCT applications entered the national phase. During the year 313 proceedings were concluded, of which 96 were granted, 200 were terminated, and 17 ended with a rejection. Compared to the past year, HIPO managed to reduce the number of pending cases by 20%, so at the end of the year 320 cases were pending. At the end of 2018, there were 847 valid national utility model protections, about the same number as in the previous year. The average pendency time of concluded cases amounted to 5.2 months.

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

HIPO Facts and Figures 2018: [https://www.sztnh.gov.hu/sites/default/files/sztnh\\_2018.pdf](https://www.sztnh.gov.hu/sites/default/files/sztnh_2018.pdf)

## 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

The CPS and IPC classification systems are used by HIPO.

Both IPC and CPC systems are used in the HU Administration System and sent to the EPO (Espacenet).

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

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

Patent abstracts of Hungarian patent applications (that have no family members) 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

The IT system of HIPO effectively provided the information technology background necessary for official and service activities and performed the tasks related to e-administration and information security, prescribed for public administration organs.

From among the tasks it is worth mentioning the making of the necessary changes in official letters within the so-called Unified Case Management and Filing System that became necessary because of the entry into force of Act CL of 2016 on the Code of General Administrative Procedure (hereinafter "the Code of General Administrative Procedure").

HIPO successfully joined the Regulated Electronic Administration Services, which made it possible for it to access the Central Identification Agent, the Interconnecting Registry 3, the Registry of Instructions 4 and the Company Gate 5. The fine tuning of the Office Gate proved also necessary on the basis of the experience made in the course of electronic communications with the courts, and new or previously not defined functions were added to the electronic message and document sending functions of the earlier introduced Client Gate. HIPO joined the ADATREZOR (Data Treasury) initiative, which is mandatory for government organs, and within the framework of this initiative the digital assets of the Office are regularly stored in the central data treasury provided by the government.

HIPO started the modernisation project of the internal case management system. The EUIPO Back Office system was deemed to be best suited for the complete renewal of the internal case management system of HIPO; the Back Office was already implemented in more than 10 EU Member States and so it is used by their IP offices as their own internal case management system. HIPO also made the decision to take it over and adapt the system to its requirements.

Hardware used to supporting business processes of the Office

Internal databases: coverage, updates, interlinks with external sources

The Unified Administrative System of the Office comprise 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

See: Industrial Property Special Library: <http://www.sztnh.gov.hu/en/services/industrial-property-special-library>

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

The partners and customers of HIPO, who are interested in intellectual property, can choose from a variety of services or programs of customer service, information provision and education, eg.: AIDA, IP-Panorama, Start-up guide, Partner Search, Tenders, IP-Valuation, etc.: <http://www.sztnh.gov.hu/hu/vallalkozoknak/hogyan-kezdjek-hozza>

The website of HIPO ([www.sztnh.gov.hu](http://www.sztnh.gov.hu)) offers valuable information both to potential clients who are less well-informed of intellectual property matters and to professional users. The portal was visited on more than 1.5 million occasions by nearly 524 thousand individually identifiable users, who downloaded more than 14.5 million pages. According to statistics on use, the number of individual visitors, visits, hits and downloaded pages increased significantly, by one-third compared to the previous year. On the website of the HIPO more than 45 thousand documents are available.

Clients can access useful and free e-administration and information services on the website such as the e-search, e-file inspection, e-filing and e-register. In addition to those, they can use the TM e-Filing system to file national trade mark applications, the TMview system for electronic trade mark

search, as well as the Designview database, which contains designs protected in the European Union.

The website for raising the IP awareness of the general public ([www.szellemitulajdon.hu](http://www.szellemitulajdon.hu)) had more than 36 thousand individual visitors. The National Board Against Counterfeiting has its own website ([www.hamisitasellen.hu](http://www.hamisitasellen.hu)), which features recent news on the subject of counterfeiting.

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.

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, and – in the cases they deem necessary – contact the central Customer Service of HIPO, but they lack proactivity, so the Office decided to find more active cooperation partners that are closer to SMEs. To this end, it has conducted negotiations and initiated cooperation with xLabs Ltd. and the National Association of Young Entrepreneurs.

The free of charge intellectual property diagnosis service, restarted in 2017, continued to operate in 2018 with the support of EPO. The IP diagnostics service offers tailor-made advice for innovative enterprises on the possibilities of legal protection for their intellectual property. With - in the framework of the Bilateral Cooperation Plan concluded between EPO and HIPO, between 2016 and 2018 the Office could make 30 IP diagnoses free of charge in order to raise awareness among small and medium-sized enterprises.

In 2018 HIPO concluded cooperation agreements with Hiventures cPlc and Széchenyi Venture Capital Fund Management cPlc, the two largest state-owned risk capital funds, in order to raise IP awareness among innovative Hungarian enterprises, especially start-ups, and organisations promoting innovation. Another agreement has been concluded with the Budapest Stock Exchange, as a result of which innovative Hungarian enterprises listed on the Hungarian stock exchange could make more efficient use of the competitive advantages on the market provided by intellectual property protection. Trainings and tailor-made services are HIPO's main tools in making innovative enterprises and organisations promoting innovation more familiar with the national and international intellectual property systems.

HIPO can boast a long history of cooperation with Hungarian institutions of higher education. In 2018 it had such cooperation agreements in force with 17 higher education institutions. With these cooperation schemes the Office intends to 1) broaden the knowledge and skills of university professors and students in the fields of industrial property rights and copyright, 2) enhance the protection and exploitation of research results developed within these institutions, and 3) strengthen the position of the universities as regional information points for industrial property right protection. In the agreements HIPO undertook to assist in the teaching of intellectual property protection subjects and, if requested, to help these universities draw up their internal regulations for the protection of intellectual property rights and to support them in performing their technology transfer-related tasks.

In 2018 the total number of hours of intellectual property education provided in cooperation with HIPO amounted to 984, and the number of persons attending those courses was 2122.

The beginning of 2018 saw the conclusion of a research project carried out by experts of HIPO, the University of Pécs and the University of Debrecen and entitled 'Management of intellectual property rights and the exploitation of research results at publicly financed research institutes'; which put forward proposals for the improvement of the exploitation of the intellectual property of universities and academic institutes and for the promotion of technology transfer.

In 2018 our central customer service received nearly 16 thousand queries, out of which 57% were made by phone. We witnessed a further decrease of queries made in person, since our customers tend to make more frequent use of the electronic administration services of the Office (e.g. website, e-search or e-application) for information purposes. The queries received electronically numbered 1549, about 15% of which were in English, a percentage similar to last year's. Most of these queries related to the current status of a given case, or to the different ways or due dates of fee payments. Only a few persons prefer traditional correspondence by post with the customer service. In general it can be concluded that most of those turning to our customer service request information in several fields at the same time. A large percentage, i.e. one third of the queries, namely 6717, aimed at trade mark information. Other important fields dealt with by our customer service are information on databases (2604 queries), copyright or legal information (2447 queries) and patent information (2336 queries).

Based on the international experience, in addition to cost-free client service information services HIPO also offers various advanced intellectual property services to its clients for a fee. The patent search services of HIPO provide user-friendly, evaluating type reports and patent search results for their clients, who have the following five services at their disposal: novelty search, novelty search with preliminary patentability report, preliminary patentability report, validity search, and freedom to operate (FTO).

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

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 have become important fora for knowledge sharing and awareness raising in Hungary.

In 2018, a basic level industrial property course was held in May for 16 participants, and an intermediate level industrial property course was started in March with 26 participants. Advanced level industrial property qualification was acquired by 5 people, and 30 more are attending our current advanced level industrial property course. At these courses participants included, apart from the staff of the Office, employees of enterprises, law firms or of patent attorneys' offices, higher education institutions, and the Hungarian Academy of Sciences. As for copyright, in May 26 participants passed the professional examination at the end of our basic level course, while our intermediate level copyright course was attended by 20 participants. The courses were taken by colleagues from the Office, as well as by employees of publishing houses, museums, higher education institutions, libraries or law firms. For 20 different institutions the Office also held specially targeted courses, intellectual property further trainings or search trainings.

Based on their cooperation with HIPO, the IP was taught at 10 faculties of 8 higher education institutions as a subject of its own, and at 8 more universities as part of another subject. Within the framework of e-learning, 6 higher education institutions participated in providing courses in the subjects of "Intellectual property protection" and "Innovation management and industrial property protection".

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Like in previous years, HIPO invited applications for the „Ujvári János Award for Diploma Works” the purpose of which is to provide incentives for graduating students of higher education to develop the intellectual property protection aspects of their theses or dissertations. In 2018, the award was granted to 9 students.

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 (VPI)

In 2018 127 international search reports and 6 international preliminary examination reports were requested from the VPI, of which 29% were performed by HIPO. The search fees were reimbursed in 88% of the cases. Two-thirds of the applications were filed in the national language, one-third in English. In 2018 the breakdown of applications filed with VPI according to the country of origin was the following: 55% from Poland, 26% from Hungary, 16% from the Czech Republic and 3% from Slovakia. Thus, in comparison to its economic weight, Hungary is strongly overrepresented.

Homepage of the Visegrad Patent Institut: <http://www.vpi.int/index.php/en/>

Global Patent Prosecution Highway (GPPH): <http://www.sztnh.gov.hu/en/patent/global-pph>

HIPO participated in the activity of the special Sub-Group1 of Group B+2 dealing with the international harmonization of substantive patent law in four working groups.

At its very start in 2014, HIPO joined the Global Patent Prosecution Highway (GPPH) project, now comprising 26 patent offices, which aims to accelerate the procedures to obtain patent protection, and of which the Visegrad Patent Institute became the 25th full member on 6 January 2018.

The staff of HIPO also participated in the 2018 meetings of the Interdepartmental Committee on European Coordination (ICIC).

The Office regularly participated in the meetings of the Working Party on Intellectual Property of the Council of the European Union, one focal point of which was the discussion on the proposals presented in the framework of the EU copyright law reform package.

## 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.