

CWS/ATR/PI/2019/HU

Annual Technical Report on Patent Information Activities in 2019 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

High level of compliance of the activity of national intellectual property protection authority in accordance with the requirements of international professional requirements and the requirements of ISO standards, and expansion of the Hungarian role in international official co-operation in proportion to the official knowledge base in the service of becoming a regional center.

Improving the conditions of awareness, information and training of the Hungarian industrial property and copyright culture through customer service, value-added service, IT and education support programs; purposeful support for science, technology and innovation policy strategies to improve national performance.

Strengthening the service provider nature of official activities, maintaining partnerships with customers.

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

The Office made an important legislative contribution last year by finalizing, in cooperation with the Ministry of Justice, the draft of the amendment of the linguistic regime for the filing of patent applications. As of 12 May 2019, *Act XXXIV of 2019* amended *Act XXXIII of 1995 on the Protection of Inventions by Patents*. As a result of the amendment, the time limit for filing the Hungarian translation of the English language patent description with the claims, the abstract and the drawings was extended from four to twelve months. Thereby applicants have the possibility to participate in the proceedings before HIPO with an application filed with English language enclosures until the commencement of the international (or foreign protection granting) phase.

The Office actively participated in drawing up and supporting the Hungarian position concerning the amendment of *Regulation (EC) No 469/2009 of the European Parliament and of the Council concerning the supplementary protection certificate for medicinal products (SPC Regulation)*. The legislative process was completed in the first half of 2019 and the amendment entered into force on 1 July 2019. The Office reviewed the legislative and administrative steps necessary in order to perform the new tasks resulting from the amendment.

The activities of HIPO were characterised by client-centred procedures, efforts at keeping favourable pendency times and high quality work. HIPO operates in accordance with the requirements of the ISO 9001:2015 Quality Management standard and the ISO/IEC 27001:2013 Information Security Management standard, which was certified for the fourth time in 2019. Compliance with the ISO standards provides guarantees to clients and partners for the Office's commitment to high quality work and to information security.

The Office offers to its clients a wide range of services cost-free or subject to payment, like different trade mark and patent search services or IPD service. In addition, HIPO also prepared the introduction of a new service, the so-called subject-matter search, starting from the beginning of 2020. On the basis of all information disclosed to the public, the Office establishes the state of the art for a particular technology area, helping thereby to determine sub-areas of the given technology area that are still unexplored and worth researching so the client can designate the new directions of research.

Within the framework of an official procedure, HIPO can give certain projects a preliminary qualification as R&D projects, and as of 2017 the Office can also be requested, by starting the procedure of project group qualification, to examine the totality of R&D activities carried out in the given tax year. Apart from that, at the request of other authorities, the courts and third parties, HIPO acts as an expert in deciding technical questions having an impact on whether certain activities qualify as R&D or not, and whether certain costs can be attributed to research and development activities.

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

Number of valid Patents, Supplementary protections and Plant variety protections in Hungary at the end of 2019

Patents granted via the national route: 2209 (2018: 2585)

European patents validated by HIPO: 29749 (2018: 26092)

In 2019, the number of European patent applications in which Hungary was designated and which were granted by EPO was 134 883, an increase of nearly 10% compared to 2018.

Requests for validation of European patents in Hungary

Validations in 2019: 6075 (2018: 5383)

Requests for validation in 2019: 5723 (2018: 5225)

The requests for validation in Hungary reached a record number in 2019: there were 5 723 requests for validation, which is 9.5 % higher than in 2018.

Within the framework of validation proceedings before HIPO 6 075 European patents were validated in 2019, i.e. the number of cases concluded with validation increased by 13% compared to the previous year. This reflects an increasing interest of foreigners in the Hungarian economy.

Patent applications filed via the national route

Patent applications filed via the national route contain, on the one hand, patent applications of domestic origin, and, on the other hand, foreign applications filed directly with HIPO, as well as PCT applications which have entered the national phase. The number of patent applications filed via the national route amounted to 450 in 2019, an increase of nearly 2% over 2018. 95% of them, that is 427 applications, originated from clients with a domestic seat or domicile. 60% of the patent applications filed via the national route were filed by private individuals and 40% by so-called entities (legal persons).

National patent proceedings

National patent protections in force: 2209

Applications: 450

Publications: 250

Closed proceedings: 663

Grants: 135

Pending cases: 867

Supplementary protection certificates

In the course of 2019 HIPO received 56 SPC applications (2018: 47). On the basis of concluded proceedings, the number of supplementary protection certificates in force at the end of 2019 was 128. In the case of 55 SPCs the basic patent was still valid.

Plant variety protections

HIPO received 38 applications via the national route for plant variety protection in 2019. At the end of the year 119 protections were in force. During the past year the *Community Plant Variety Office* (CPVO) received 3525 applications for Community plant variety protection, which is approximately the same as in the previous year. According to the statistics of the CPVO, at the end of 2019 28 228 Community plant variety protections were in force in the EU (thus also in Hungary), which is an increase of 5% over the previous year.

Utility models in Hungary at the end of 2019:

Pending cases in 2019: 222 (2018: 320)

Applications in 2019: 255 (2018: 226)

Granted rights in 2019: 387 (2018: 96)

Closed proceedings in 2019: 387 (2018: 313)

In 2019 HIPO received 255 applications for utility model protection, which is a nearly 13% increase over the previous year. 94% of the national applications were filed by domestic applicants, 5% of the applications were received directly from foreign applicants, and 1% were PCT applications entering the national phase. During the year a record number of 387 utility model proceedings were concluded, of which 168 were granted, 181 were terminated, and 38 ended with a rejection. While the number of new applications increased compared to the past year, HIPO managed to reduce the number of pending cases by approximately one-third from 320 at the end of last year to 222 cases. Thus, the Office made a significant step to reduce its backlog.

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

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

Annual Reports:

<https://www.sztnh.gov.hu/hu/mivel-fordulhatok-a-hivatalhoz/tajekoztatas/kiadvanyok/a-hivatal-eves-jelentesei-0>

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>

Classification¹, preclassification² (if applicable), reclassification³ 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.

These two 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

In 2019 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.

HIPO restarted the *CPC (Cooperative Patent Classification)* data provision to the EPO performed on the basis of international cooperation.

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

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>

In 2019 the Office's central customer service received 17 717 queries, which was 11% higher than in the previous year. 62% of the queries were made by phone. The number of queries by phone increased by more than 20% and the average length of phone calls was 4.7 minutes. Although we witnessed a decrease in the queries made in person, their proportion was still 27%. Traditional correspondence by post is fading into the background. 15% of the queries at the customer service were in English language. Most of these queries were related to the current status of a given case, or to the different ways or due dates of fee payments. In general, it can be concluded that most of those turning to our customer service request information in several fields at the same time. Last year many questions and feedbacks were received related to *e-administration*. One-third of the queries were aimed at trade mark information. Other important fields dealt with by our customer service were information on databases, patent information, and copyright or legal information.

The Office offers to its clients a wide range of services cost-free or subject to payment, like different trade mark and patent search services or IPD service. In addition, HIPO also prepared the introduction of a new service, the so-called subject-matter search, starting from the beginning of 2020. On the basis of all information disclosed to the public, the Office establishes the state of the art for a particular technology area, helping thereby to determine sub-areas of the given technology area that are still unexplored and worth researching so the client can designate the new directions of research.

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. Its popularity is shown by the fact that in 2019 users downloaded 157 thousand pages.

The Industrial Property and Copyright Review is a periodical which publishes studies with the analytic interpretation of issues in the field of industrial property and copyright and discusses relevant case-law. It has been published since 2006 as a specialised bimonthly publication, and with a time lag of six months it is also accessible in an electronic format by open access on HIPO's website.

The website of HIPO (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 483 thousand, who visited the portal on 1.45 million occasions downloading more than 16.9 million pages in 2019. On the website there are 76 thousand files available with individual internet links. Out of these 12 782 are HTML pages, 86% of them are in Hungarian, 14% are available in English.

Users can access useful and free of charge e-administration and information services on the website such as the *e-administration*, *e-search* or *e-register*.

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

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

Professional partners and customers of HIPO, interested in issues of intellectual property, have been able to choose from a variety of services and programs of awareness raising, information provision and education. It was a priority objective to spread IP knowledge and to develop industrial property and copyright culture among enterprises and higher education institutions.

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. In 2019, in the framework of its activity aimed at raising IP awareness of enterprises, HIPO – in cooperation with the local chambers of commerce and industry – organised seminars combined with expert counselling for local market players in four locations: Pécs, Szeged, Veszprém and Szolnok. Last year HIPO actively cooperated with the National Research, Development and Innovation Office in various professional programmes. During the first half-year it participated in the consultation series, entitled National Innovation Forum, organised in 25 locations. In autumn, the representatives of the Office were present at the event series, entitled regional innovation platform, the locations of which were Miskolc, Debrecen, Gyr, Pécs, Szeged and Budapest. On 28 November 2019, HIPO joined the regional innovation platform.

HIPO had cooperation agreements in force with 16 universities, as follows: *Budapest Corvinus University, Budapest Metropolitan University, University of Debrecen, Eötvös Loránd University, Eszterházy Károly University, University of Miskolc, Moholy-Nagy University of Art and Design, National University of Public Service, John von Neumann University, University of Nyíregyháza, Óbuda University, University of Pannonia, University of Pécs, University of Sopron, University of Szeged, Szent István University*. In the agreements, the Office undertook to assist in the teaching of intellectual property 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. It will be a major task for 2020 to renew, in the framework of the University Innovation Ecosystem, the existing framework agreements with universities, and to conclude new agreements with further higher education institutions that have already applied for and been granted support. In 2019, HIPO participated in the teaching of intellectual property as an independent subject of a semester in 12 faculties of 9 universities, and at a further 8 universities the teaching of intellectual property was integrated into a subject offering entrepreneurial/technical/legal/social and/ or scientific knowledge. 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.

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 May a basic level industrial property course took place with 22 participants, representing enterprises, higher education institutions and HIPO staff. In March an intermediate level IP course started with the participation of 26 persons, where the final examination took place in May. Besides the officials of the Office, enterprises, law firms and patent attorneys, higher education institutions and the Hungarian Academy of Sciences (HAS) were represented. In the first half of 2019, 27 persons acquired advanced level industrial property certificates. A basic level copyright course took place in April, at the end of which 26 persons passed their final examination. Staff of publishing houses, museums, higher education institutions, libraries and law firms participated at those courses, along with the Office's officials in the framework of the *Probono* further training system. In May the officials of the HAS participated in a basic level copyright course, where 20 participants obtained basic level copyright qualifications. An intermediate level copyright course took place from September to November with the participation of 25 persons. They were staff of CMOs, law firms, publishing houses, museums and higher education institutions, as well as of HIPO.

The total number of hours of intellectual property education provided in cooperation with HIPO amounted to 632, and the number of participants was 2155.

E-learning modules:

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

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

In the case of international patent (PCT) applications, as from 1 July 2016, applicants of the four Visegrad countries applying for international patents may also choose – besides the EPO – the Visegrad Patent Institute (VPI) as a PCT Authority. In the latter case, international search reports for Hungarian applicants are prepared by the patent examiners of HIPO. More than half (57%) of the applications filed with the VPI were received in the national language and 43% in English. In 2019 the VPI issued 122 international search reports as well as three preliminary examination reports, approximately the same number as in previous years. As to the country of origin of applicants for international search reports, half of them originated from Poland, one third from Hungary, 15% from the Czech Republic and 3% from Slovakia.

Website 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>

Our international cooperation activities have been determined by the exercise of Hungary's rights and the fulfilment of its obligations as a Contracting State of the European Patent Convention and a Member State of the European Union, by our international professional activities conducted within the framework of WIPO, by our cooperation with EUIPO, as well as by our regional and bilateral IP cooperation.

HIPO participated in the activity of the special Sub-Group2 of Group B+3 dealing with the international harmonization of substantive patent law, where the Vice-President for Innovation and Legal Affairs took part in the 2019 October meeting.

Already at the start in 2014, HIPO joined the *Global Patent Prosecution Highway (GPPH)* project, grouping already 26 national or regional patent offices, with the objective of accelerating the patent granting proceedings, of which project the VPI has been a full member since January 2018.

The *IP pre-diagnosis – enhancing knowledge and practice* international seminar was co-organised by the EPO and HIPO in Budapest on 3 to 4 April 2019, which focused on the practice of the IPD service to enhance the effectiveness of SMEs.

The aim of the seminar, entitled *From idea to commercialization*, co-organized by EPO and HIPO in Budapest, on 8 October 2019 was to deepen the knowledge of obtaining European and international protections and of entering the market for SMEs and professional representatives.

On 30 October 2019, WIPO and HIPO co-organised the seminar presenting the international patent application system (PCT) and the Madrid System of international registration of trademarks.

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.