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**STANDING COMMITTEE ON INFORMATION TECHNOLOGIES**

**ANNUAL TECHNICAL REPORT**

**2001**

**ON INDUSTRIAL DESIGN INFORMATION ACTIVITIES\***

submitted by

**HUNGARY**

An annual series of reports on the industrial design information activities  
of members of the Standing Committee on Information Technologies

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\*  
– The expression “industrial design” covers designs and models.  
– Information related to design patent activities reported by industrial property offices issuing design patents is included in this series of documents.

## ANNUAL TECHNICAL REPORT ON INDUSTRIAL DESIGN INFORMATION ACTIVITIES

submitted by

**HUNGARY**

### I. EVOLUTION OF REGISTRATION ACTIVITIES

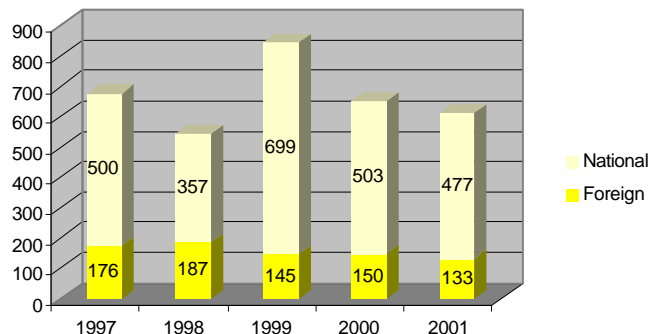
#### National applications

The number of industrial design applications has been stable for the past five years, no essential deviation has occurred. 668 applications were completed, which produced a stable pendency time and an optimum number of pending applications. As regards cases to be settled by a board, 10 cases were completed in 2001 and 3 new requests were received.

Law No. XLVIII of 2001 on the Protection of Designs which entered into force on 1 January 2002 and replaced Decree-law No. 28 of 1978 on the Protection of Industrial Designs was introduced with the intention of increasing the domestic and foreign interest in the attractive appearance of technical products and in the conscious protection thereof by means of this renewed legal institution.

#### Breakdown of industrial design applications by origin (1997-2001)

Origin of applications	1997	1998	1999	2000	2001
Domestic	500	357	699	503	477
Foreign	176	187	145	150	133



**Figures of industrial design procedures  
(1997-2001)**

	1997	1998	1999	2000	2001
<b>National registrations</b>	662	608	504	472	465
<b>Rejected applications</b>	180	95	86	91	116
<b>Lapsed applications</b>	33	139	117	100	87
<b>Completed applications</b>	875	842	707	670	668
<b>Pending applications</b>	721	408	519	601	571

*International applications*

The number of international industrial design applications filed in Hungary under the Hague Agreement rose considerably, by almost 20%. In the year under review, 1206 applications were received, in all of them substantive examination was completed.

**International industrial design applications relating to Hungary  
(1997-2001)**

	1997	1998	1999	2000	2001
National registrations	1028	1010	1080	1014	1206
Rejected applications	1028	1009	1079	1009	1206

**II. MATTERS CONCERNING THE GENERATION, REPRODUCTION, AND DISTRIBUTION OF INDUSTRIAL DESIGN DOCUMENTS AND OF SECONDARY SOURCES OF INDUSTRIAL DESIGN INFORMATION, I. E. OFFICIAL GAZETTES**

*Preparation of laws*

In order to create a new law on the protection of designs, the replies given to the HPO's questionnaire by interest groups and professional organizations were processed and comparative analyses were carried out in 2000.

The main objective of codification in this field was to implement Directive 98/71/EC on the legal protection of designs in Hungarian law and to create the conditions necessary for

the ratification of the new, Geneva Act of 1999 of the Hague Agreement Concerning the International Registration of Industrial Designs.

The Bill was adopted by the Parliament at its meeting on 12 June 2001. *Law No. XLVIII of 2001 on the Protection of Designs* entered into force on 1 January 2002, its final provisions also contain amendments relating to contracts of remuneration and provide for the protection of non-obligatory standards under copyright law.

In compliance with the authorization given by the new law, Decree No. 19/2001 (XI. 29.) IM on the Detailed Formalities of Design Applications was prepared and also entered into force on 1 January 2002.

An important step was the amendment to Decree No. 77/1995 (XII. 29.) IKM on the *Fees for Administrative Services in Industrial Property Procedures Before the Hungarian Patent Office*. A separate committee was entrusted with conducting the surveys necessary for the amendment and with preparing the draft of the Decree. As a result of this work, *Decree No. 19/2001 (VII. 13.) GM* on the amendment to the Decree on Fees was created. An important novelty of the amendment is that annual maintenance fees increase every 4 years instead of the periods of 5 years. The amendment also provides for fees payable in design procedures from 1 January 2002.

A proposal was prepared on the revision of Government Decision No. 1061/1999 (XII. 14.) Korm. on the Harmonization of Activity Concerning Industrial Designs and Ergonomics, as well as on the modernization of its organization. The proposal also contained a draft Government Decree on the Hungarian Design Council. This repealed the previous decision and renewed the provisions on the tasks, organization and operation of the Council. The Government adopted the draft last December and so *Government Decree No. 266/2001 (XII. 21.) Korm. on the Hungarian Design Council for Designs*.

Official publications relating to industrial design applications appear in the official journal of the Hungarian Patent Office, the monthly Gazette of Patents and Trademarks.

After receipt of the application, the bibliographic data are published in the column "Communication of data of industrial design applications", grouped according to the Locarno Classification.

The application is published in the column "Publication of industrial design applications" which contains the bibliographic data, the characteristic photo or drawing and the classification symbol.

Simultaneously with the publication, search cards are prepared which are put in the Industrial Design Search Room. The search cards contain the bibliographic data, the classification symbol and all photos or drawings of the design.

After publication, the application is available to the public, any person may inspect the files.

Registration **usually** takes place in the second month following publication, it is announced in the column "Granted industrial design protection" by indicating the bibliographic data, registration number and date of the registration.

Renewal and lapse of protection are announced in separate columns. Changes in ownership, representation, name and addresses, as well as recording of exploitation contracts in the Register are published in the column "Diverse industrial designs publications".

On registration, a registration sheet is prepared which contains the photos or drawings of the design, bibliographic and registration data and the classification symbol. All changes affecting protection are continuously entered in the registration sheet.

Computer-aided process of applications takes place within the framework of the ORACLE-based uniform administration-management system of the Hungarian Patent Office. From the data of the applications the system builds up a database searchable according to various features, supports correspondence with the clients, compiles the data to be published and supplies them for the Gazette in electronic way. Any change in the application or in the protection is entered in the database which, therefore, may serve as an electronic register.

The following data of applications filed with the International Bureau are entered in the database: title of the application, name of the applicant, international registration number, classification symbol and date of international deposit.

The Gazette of Patents and Trademarks is done by Corel Ventura 8.0, for which the data are supplied by the uniform administration system. Images and figures are entered by scanning.

The Hungarian Patent Office invites the applicant to correct substantive or formal defects by a decision prepared by a local letter editing system. The program offers draft texts according to the nature of the defect, then edits a uniform letter in an interactive way. The so prepared invitations are printed and mailed through the uniform administration-management system.

### **III. MATTERS CONCERNING CLASSIFYING, RECLASSIFYING AND INDEXING OF INDUSTRIAL DESIGN INFORMATION ACCORDING TO THE CLASSIFICATION SYSTEMS APPLIED**

Hungary is a contracting party to the Locarno Agreement, thus industrial design applications are classified according to the Locarno Classification, with the indication of classes and subclasses. The filing of the application is followed by a preliminary classifying which is finalized on publication and, where necessary, new symbols are given.

The uniform administration-management system permits search according to most bibliographic data.

### **IV. SEARCH FILE ESTABLISHMENT AND UPKEEP**

In the Industrial Design Search Room any person may inspect and search free of charge the search cards of published national industrial design applications and of international applications received in the International Designs Bulletin. In addition to the search cards, the registration sheets of every valid industrial design protection, arranged in ascending order of registration numbers, are also available to any person free of charge.

On request, copies are made of the registration sheets and search cards against the payment of a fee.

## V. ACTIVITIES IN THE FIELD OF COMPUTERIZED SEARCH SYSTEMS FOR INDUSTRIAL DESIGN

At present, neither internal, nor external electronic databases are at our disposal. At present, a database for the purposes of search is under development, which contains the material of the search cards in the Search Room and of the available International Design Bulletins. Images and figures are entered by scanning.

In the Hungarian Patent Office all examiners and the supporting units have PCs that are connected to the server through Novell network.

The terminals are Pentium based PC-s (100 MHz machines or of higher quality). The server is a DEC4100 run under UNIX operation system.

## VI. ADMINISTRATION OF INDUSTRIAL DESIGN SERVICES AVAILABLE TO THE PUBLIC

In the headquarters of the Hungarian Patent Office there is a room solely for industrial design searches. Search cards, registration sheets, bulletins of international publications, periodicals and foreign gazettes relating to industrial designs can be found there. The reference staff of the search room help in finding the documents, make copies and operate the network-connected computers.

After publishing the documents, the applications are available to the public, any person may inspect them at the examiner and may get copies against the payment of a fee. Prior to publication, the Hungarian Patent Office handles the applications secretly, only the applicant or his/her representative may inspect the files.

The website of the Hungarian Patent Office accessible under the address <http://www.hpo.hu> has been serving industrial property information in the Hungarian and English languages since June 1996.

Web-based *Hungarian Industrial Design Database*, called **INDIGO** was introduced in July 1997 (<http://www.hpo.hu/Magyar/db/indigo/>). The database enables visitors to search all the bibliographic data of the **valid** Hungarian industrial designs, and pending applications, except the international applications. All the illustrating images are also available for displaying.

With respect to designs, the search system in the Client Services Section and in the Patent Library is based on electronic carriers (databases on the Internet, and databases on optical disks accessible locally and through local network).

### Public services of the Client Services Section

Within the framework of the Industrial Property Information and Education Centre, a new cooperation providing complex services has been established since January 2001 between the Patent Library and the Client Services Section. The two units have been available to the readers at the same place and in the same office hours.

The unit of the Client Services Section providing services in the field of designs is located in a separate building near the headquarters of the HPO. They receive visitors in 28 office hours a week, in addition, they are at the disposal of interested persons at a free-of-charge creative telephone number, and they also meet official requests received by mail, fax and e-mail.

Machine-readable information is accessible through six work stations either with the help of specialists or the clients may also search independently by means of users' right. The Client Services Sections is in connection with the computer system of the headquarters through optical cables. Thus the same electronic information tools may be used as in the main building, and, in addition, local electronic databases accessible only at the Client Services Section.

The collection of the Client Services Section comprises 1 national and 2 international databases on electronic carrier. The national database (PIPACS) is the product of the Hungarian Patent Office.

In 2001, the industrial design services of the Client Services Section (general information and informatory searches) were used by 630 persons, of whom 248 contacted the Section personally and 382 by phone.

Within the network of Houses of Science and Technology of the Federation of Technical and Scientific Societies, regional information centers have been set up in 14 towns of 7 counties with the support of the Hungarian Patent Office.

## VII. MATTERS CONCERNING MUTUAL EXCHANGE OF INDUSTRIAL DESIGN DOCUMENTATION AND INFORMATION

The Hungarian Patent Office has a number of bilateral relations for data supply, within the framework of which the Gazette of Patents and Trademarks is regularly sent to 53 countries.

### OPTICAL DISK DATABASES SENT IN INTERNATIONAL DOCUMENT EXCHANGE

Product	Number of pieces	Comment
ESPACE PRECES	848	to 30 ind. prop. offices
TRACES	95	to Patent Office of the Republic of Poland
HUNPATÉKA	4	to 2 ind. prop. offices
PIPACS (DVD-ROM)	4	to 2 ind. prop. offices

#### 1. Industrial design databases (CD-ROM, DVD-ROM)

1.	EUROM	1	-
2.	International Designs Bulletin	-	1
3.	PIPACS*	-	-

\* products of the HPO

**VIII. MATTERS CONCERNING EDUCATION AND TRAINING INCLUDING  
TECHNICAL ASSISTANCE TO DEVELOPING COUNTRIES**

In order to provide information for applicants and inventors and for prospective clients in a better and quicker way, a "CREATIVE line" has been operated since December 1, 1997 the "*green number*" of which may be called free of charge. Simultaneously, an advertizing campaign was launched in several dailies and weeklies.

30. May 2002.

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