

HUNGARY

Status as of May 2005

FEATURES	STATUS	CHANGES IN LAWS SINCE 1990
Types of protection for inventions	<ul style="list-style-type: none"> • Patents • Utility models • Supplementary protection certificates 	N.A
Term of protection	<ul style="list-style-type: none"> • Patents: 20 years from filing date • Utility models: 10 years from filing date • Supplementary protection certificates : shall take effect at the end of the lawful term of the basic patent for a period equal to the period which elapsed between the date on which the application for a basic patent was filed and the date of the first authorization to place the product on the market in the Community, reduced by a period of five years, provided that the duration of a certificate may not exceed five years. • Extension of patent term is possible on the following grounds: <ul style="list-style-type: none"> - Regulatory approval for pharmaceuticals - Regulatory approval for agricultural chemicals 	May 1, 2004 – Introduction of the supplementary protection certificate for pharmaceuticals and agricultural chemicals.
Subject matters excluded from patentability or not considered to be inventions	<ul style="list-style-type: none"> • The following subject matters are excluded from patentability: <ul style="list-style-type: none"> - Animals - Plants - Plant and animal varieties - Inventions contrary to morality/public order • The following subject matters are not considered to be inventions: <ul style="list-style-type: none"> - Discoveries - Scientific theories/mathematical methods - Aesthetic creations - Mental acts - Presentation of information - Computer programs - Business methods - Diagnostic, therapeutic and surgical methods for the treatment of humans and animals 	<p>July 1, 1994 – Protection of pharmaceutical products was introduced.</p> <p>January 1, 1993 – Provisions on biotechnological inventions were introduced in order to ensure full compliance with Directive 98/44 EC of the European Parliament and of the Council on the legal protection of biotechnological inventions.</p>

Filing language	<ul style="list-style-type: none"> Filing an application in languages other than official language is possible. The time limit to provide translation into an official language is 4 months from the filing date. 	January 1, 1996 – Introduction of the possibility to file in languages other than the official language.
Certain requirements relating to filing	<ul style="list-style-type: none"> The inventor rarely waives his right to be mentioned in the patent. 	No
	<ul style="list-style-type: none"> It is not possible to file provisional applications. 	
	<ul style="list-style-type: none"> The most frequent route used by foreign applicants to file patent applications is the PCT procedure (Patent Cooperation Treaty). 	
Link between different inventions in the same application	<ul style="list-style-type: none"> The applicable law allows that the claims in a patent application relate to a group of inventions so linked as to form a single general inventive concept. 	No
Publication	<ul style="list-style-type: none"> The information related to the application is published or open for public access 18 months from the date of filing or from the priority date. 	No
Classification system	<ul style="list-style-type: none"> The patent classification system used is the International Patent Classification (IPC) system. 	N.A