HUNGARIAN INTELLECTUAL PROPERTY OFFICE (HIPO)
(SZELLEMI TULAJDON NEMZETI HIVATALA)
AS
DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Hungarian Intellectual Property Office (HIPO)
HPL: Hungarian Law on the Protection of Inventions by Patents, Law No. XXXIII of 1995
### HU

**HUNGARIAN INTELLECTUAL PROPERTY OFFICE (HIPO)**

#### Summary of requirements for entry into the national phase

<table>
<thead>
<tr>
<th>Time limits applicable for entry into the national phase:</th>
<th>Under PCT Article 22(3): 31 months from the priority date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Under PCT Article 39(1)(b): 31 months from the priority date</td>
</tr>
<tr>
<td>Translation of international application required into:</td>
<td>Hungarian</td>
</tr>
<tr>
<td>Required contents of the translation for entry into the national phase:</td>
<td>Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended, together with any statement under PCT Article 19), any text matter of drawings, abstract</td>
</tr>
<tr>
<td></td>
<td>Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts has been amended, both as originally filed and as amended by the annexes to the international preliminary examination report)</td>
</tr>
<tr>
<td>Is a copy of the international application required?</td>
<td>No</td>
</tr>
<tr>
<td>National fee: ¹</td>
<td>Currency: Hungarian forint (HUF)</td>
</tr>
<tr>
<td>For patent:</td>
<td></td>
</tr>
<tr>
<td>— where the Office is a designated Office:</td>
<td>HUF 37,400 plus HUF 1,900 per claim for the 11th to the 20th claim</td>
</tr>
<tr>
<td></td>
<td>HUF 3,800 per claim for the 21st to the 30th claim</td>
</tr>
<tr>
<td></td>
<td>HUF 5,600 for each claim in excess of 30</td>
</tr>
<tr>
<td>— where the Office is an elected Office:</td>
<td>HUF 18,700 plus HUF 950 per claim for the 11th to the 20th claim</td>
</tr>
<tr>
<td></td>
<td>HUF 1,900 per claim for the 21st to the 30th claim</td>
</tr>
<tr>
<td></td>
<td>HUF 2,800 for each claim in excess of 30</td>
</tr>
<tr>
<td>For utility model:</td>
<td>HUF 18,700 plus HUF 1,200 for each claim in excess of 10</td>
</tr>
<tr>
<td>Exemptions, reductions or refunds of the national fee:</td>
<td>None</td>
</tr>
</tbody>
</table>

¹ Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).
<table>
<thead>
<tr>
<th>Summary</th>
<th>Designated (or elected) Office</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>HU</strong></td>
<td><strong>HUNGARIAN INTELLECTUAL PROPERTY OFFICE (HIPO)</strong></td>
</tr>
<tr>
<td>[Continued]</td>
<td></td>
</tr>
</tbody>
</table>

Special requirements of the Office (PCT Rule 51bis):

- Name and address of the inventor if they have not been furnished in the “Request” part of the international application\(^2\)
- Declaration of assignment where the applicant is not the inventor\(^3\)
- Appointment of an agent if the applicant has neither a residence nor his principal place of business within the territory of the European Union or in a State party to the Agreement on the European Economic Area\(^4\)

Who can act as agent?

- Any authorized representative, such as a Hungarian patent attorney or attorney-at-law or registered European patent attorney\(^5\)

Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)\(^6\)?

- Yes, the Office applies the “due care” criterion to such requests

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\(^2\) This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

\(^3\) Even if a corresponding declaration has been made in accordance with PCT Rule 4.17, the Office may nevertheless require further documents or evidence (see *PCT Gazette* No. 05/2001, page 204).

\(^4\) If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit fixed in the invitation.

\(^5\) The list of registered patent attorneys is available on the website of the Hungarian Chamber of Patent Attorneys (HCPA) at [www.szabadalmikamara.hu/Index.aspx?MN=Tagok_MindenTag&LN=English](http://www.szabadalmikamara.hu/Index.aspx?MN=Tagok_MindenTag&LN=English)

(17 March 2016)
THE PROCEDURE IN THE NATIONAL PHASE

HU.01 TRANSLATION (CORRECTION). Errors in the translation of the international application can be corrected with reference to the text of the international application as filed (see National Phase, paragraphs 6.002 and 6.003).

HU.02 FEES (MANNER OF PAYMENT). The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex HU.I.

HU.03 DECLARATION OF ASSIGNMENT. For details, see the model of such declaration (not an official form) in Annex HU.II. Legalization is not required. For time limits, see the Summary.

HU.04 APPOINTMENT OF AGENT. Foreign applicants (natural persons or legal entities not having permanent residence or domicile in the territory of a Member State of the European Economic Area) shall be represented by an authorized patent attorney or an attorney-at-law in all patent matters before the Office. An agent must be appointed by filing a power of attorney. A model is given in Annex HU.III.

HU.05 SUPPLEMENTARY HUNGARIAN SEARCH REPORT (IN CASE OF LACK OF UNITY OF INVENTION). Where a part of the international application was not subjected to international search, the applicant must, within three months from the date of furnishing a Hungarian translation of the international application, pay the additional fee for search (see Annex HU.I); otherwise the parts not searched will be considered withdrawn.

HU.06 DRAWINGS ILLUSTRATING THE INVENTION. Upon special invitation by the Office during patent examination the applicant must furnish drawings illustrating the invention, even where they are not necessary for the understanding of the invention, but the nature of the invention admits of illustration by drawings.

HU.07 ANNUAL FEES. The international application is published by the Office as soon as possible following the filing of the Hungarian translation of the international application. By the date of that publication, of which the applicant is informed by the Office, annual fees must be paid for each year which has lapsed since the international filing date. Annual fees for subsequent years must be paid in advance and are due on the anniversary of the international filing date. Payment can still be made within six months from the due date. The amounts of the annual fees are indicated in Annex HU.I.

HU.08 AMENDMENT OF THE APPLICATION; TIME LIMITS. The applicant may make amendments to the description, claims and drawings until the day on which the decision on the grant of the patent is delivered. The amendments should not go beyond the content of the application as filed. Any amendment during the national phase is subject to the payment of an amendment fee (see Annex HU.I).

HU.09 REVIEW UNDER ARTICLE 25 OF THE PCT. The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. If, upon review under PCT Article 25, the Office denies an error or omission on the part of the receiving Office or the International Bureau, a request for rejudgment of that decision may be filed within 30 days from the date of the notification of this decision. The Budapest-Capital Regional Court (Fővárosi Törvényszék) will then decide that request.

HU.10 EXCUSE OF DELAYS IN MEETING TIME LIMITS. Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

(28 June 2018)
HU.11 Certain time limits are prescribed by the law; these shall not be extended and their non-observance involves legal consequences without notice. Time limits not prescribed by the law are fixed by the Office; these time limits of at least two months, but not more than four months, may be extended by at least two months, but not more than four months upon request and payment of a fee for extension of time limits (see Annex HU.I). Further extensions of the time limit and an extension of more than four months, but not more than six months, may be given only in special cases.

HU.12 Restitutio in integrum may be requested where the applicant has failed to observe a time limit during the international phase or before the Office.

A request for restitutio in integrum may be submitted within two months of the unobserved date or on the last day of the unobserved time limit, if the failure occurred through no fault of the applicant. The request must indicate the reasons for failing to comply and that the failure was unintentional.

Where the failure to comply became known to the applicant subsequently or the cause thereof was removed subsequently, the time limit shall be calculated from the date on which the failure to comply became known or the cause thereof was removed. The request for restitutio in integrum shall only be admissible within twelve months from the date not complied with or the last day of the time limit not complied with.

Where a time limit is not complied with, the omitted act must be carried out simultaneously with the filing of the request for restitutio in integrum.

If the Office grants restitutio in integrum, the acts carried out by the applicant in default shall be considered to have been performed within the time limit not complied with; a hearing held on the date not complied with shall be repeated where necessary. The decision taken as a result of the failure shall be revoked in whole or in part, modified or maintained as necessary or depending on the outcome of the new hearing.

Restitutio in integrum shall be excluded in the event of failing to comply with the following time limits:

(a) time limits fixed for filing the request for restitutio in integrum and the request for continuation of the procedure;

(b) time limits fixed for filing and correcting the declaration of priority.

Restitutio in integrum shall not be admissible with respect to time limits the consequences of failing to comply with which may be averted by a request for continuation of the procedure.

Where the patent protection ceased due to failure to pay the annual fee and such failure was caused by a justifiable reason, the patent protection may be restored upon request filed within three months after the expiration of the six-month grace period referred to in paragraph HU.07 and provided that double the annual fee for the year in question is paid.

HU.13 UTILITY MODEL. If the applicant wishes to obtain utility model protection on the basis of an international application—instead of a patent—the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office. The subject of utility model protection can be any solution relating to the configuration or construction of an article or to the arrangement of parts thereof which is new, involves inventive step and is susceptible of industrial application. Utility model protection does not cover processes, chemical compositions, foodstuffs, pharmaceuticals, plant varieties or animal breeds, microorganisms or aesthetic designs of an article.

HU.14 DERIVATION. The applicant may retain the priority of an international patent application in the national phase if in an additional application for a utility model for the same subject matter (derivation from patent application) he makes a declaration, filed within two months from the date of filing of the utility model application, to this effect, provided that the derived utility model application is filed within the following time limits:
(a) in the course of the patent application procedure up to the date when the decision on the grant of patent becomes final or within three months from the date when the decision rejecting the patent application becomes final, or

(b) within three months from the date when the decision declaring nullity of the patent for lack of novelty or lack of inventive step becomes final.

The application for the derivation of a utility model application is admissible only within 10 years from the filing date of the patent application.

HPL Art. 62

HU.15 The applicant may retain the priority of an earlier filed international utility model application in the national phase if, in an additional patent application for the same subject matter (derivation from utility model application), he makes a declaration, filed within two months from the date of filing of the patent application, to this effect, provided that the patent application is filed within three months from the date when the decision on the grant of utility model protection becomes final, but not later than within 20 years from the filing date of the utility model application.
FEES

(Currency: Hungarian forint)

National fee for a patent application:
— where the Office is a designated Office .................................................. 37,400
— plus for each claim from 11 to 20 .................................................. 1,900
— plus for each claim from 21 to 30 .................................................. 3,800
— plus for each claim in excess of 30 .................................................. 5,600
— where the Office is an elected Office .................................................. 18,700
— plus for each claim from 11 to 20 .................................................. 950
— plus for each claim from 21 to 30 .................................................. 1,900
— plus for each claim in excess of 30 .................................................. 2,800

National fee for a utility model application .................................................. 18,700
— plus for each claim in excess of 10 .................................................. 1,200

Additional fee for late furnishing of the translation of the international application
and/or late payment of the national fee .................................................. 58,700

Fee for a request for reestablishment of rights where the effect of
an international patent application has ceased .................................. 117,700
in addition to the national fee

Fees in the national procedure:
— examination fee\(^1\) .................................................. 63,800
— fee for grant and printing fee\(^1\) (including six pages) .................................. 35,200
— for each page of the specification and drawings in excess of six\(^1\) ............... 3,500
— fee for grant and printing fee where the application contains disclosure of one
  or more nucleotide or amino acid sequences only on electronic medium .......... 117,700

Amendment fee:
— for the first request .................................................. 5,300
— for the second request .................................................. 9,350
— for further requests .................................................. 17,600
— plus for each claim from 11 to 20 .................................................. 1,900
— plus for each claim from 21 to 30 .................................................. 3,800
— plus for each claim in excess of 30 .................................................. 5,600

Fee for extension of time limits:
— for the first extension .................................................. 5,300
— for the second extension .................................................. 9,350
— for further extensions .................................................. 17,600

National additional fee where certain parts of the
international application have not been searched ................................ half the amount of the national fee
where the Office is a designated Office

\(^1\) Where the applicant is exclusively the inventor on the date of payment of the fee, one fourth of the amount of fee must be paid, if
no priority of a foreign application was claimed in respect of the application.
Annual fee for a patent:

- for the first to the 3rd year, per year .......................... 17,600
- for the 4th year, per year ................................. 88,000
- for the 5th year, per year .................................. 110,000
- for the 6th to the 12th year, per year .......................... 148,500
- for the 13th to the 16th year, per year ......................... 154,000
- for the 17th to the 18th year, per year ....................... 159,500
- for the 19th to the 20th year, per year ....................... 165,000

Annual fee for a utility model:

- for the first to the 5th year, per year .......................... 21,400
- for the 6th to the 10th year, per year ......................... 32,000

The annual fee for a utility model for the first year is increased by HUF 3,500 for each page in excess of 6 pages of the description and of the drawings.

Time of payment of the annual fees:

The first annual fee is due on the filing date, fees for the subsequent years are due on the anniversary of that date. There is a six-month grace period for the payment of all annual fees and the earliest date for effecting payment is two months preceding the starting date of the grace period. Fees which become due before publication can be paid within a six-month grace period counted from the publication date.

Surcharge for payment during the grace period:

- during the first three months ................................ none
- during the 4th to the 6th month .......................... 50% of the annual fee

Fee for a request for restoration of patent protection ceased due to failure to pay the annual fee ........................ twice the annual fee for the year in question

How can payment of fees be effected?

All fees must be paid to the account of the Hungarian Intellectual Property Office (HIPO) with the indication of the data enabling identification of the case (file number or registration number). If the applicant is not resident in Hungary or in one of the member States of the European Union, he can validly effect payments exclusively through his agent—patent attorney or attorney-at-law—domiciled in Hungary.

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2 Where the holder of the right is exclusively the inventor on the date of payment of the fee, one half of the fee must be paid, if protection is based on an application in respect of which no priority of a foreign application was claimed.

(28 June 2018)
ÁTRUHÁZÁSI NYILATKOZAT

ÜBERTRAGUNGSERKLÄRUNG

DECLARATION OF ASSIGNMENT

Alulirott

Unterzeichneter

Undersigned

---

ezennel kijelenti, hogy a
erklärts hiermit, das/die/ ungarische Patent/Patentanmeldung
hereby declare to transfer the Hungarian Patent/Application/

Számú/Nummer/Number

magyar szabadalmat/bejelentést/minden arra vonatkozó joggal és kötelezettséggel együtt
mit allen Rechten und Verpflichtungen an
and all rights, title and interest attached to it to

---

részére átruházza.
übertragen zu haben.

Kelt:

Datum:

Date:

Aláírás:

Unterschrift:

Signature:

Alulirott a fenti átruházást elfogadja.
Die obige Übertragung wird angenommen.
The undersigned declares to be fully satisfied with the preceding assignment.

Kelt:

Datum:

Date:

Aláírás:

Unterschrift:

Signature:

---

* hitelesítést nem igényel
keine Beglaubigung
no legalization

(January 1995)
Egyedi meghatalmazás / Individual Authorisation

Alulírott /I (We)

Név / Name

Cím / Address

Ország / country: Irányítószám / Postal code:

Fax szám / Telefax number: Telefonszám / Telephone number:

E-mail cím / E-mail address:

Levelezési cím (amennyiben eltér a címől) / Mailing address (in case it differs from the address)

Ország / Country: Irányítószám / Postal code:

Ezennek meghatalmazzuk a / do hereby authorise

Név / Name

Cím / Address

Ország / Country: Irányítószám / Postal code:

Fax szám / Telefax number: Telefonszám / Telephone number:

E-mail cím / E-mail address:

Levelezési cím (amennyiben eltér a címől) / Mailing address (in case it differs from the address)

Ország / Country: Irányítószám / Postal code:

hogy a következők szerint lásson el képviseletet a Szellemi Tulajdon Nemzeti Hivatala előtt, őjén jogorvoslattal, illetve tegyen jognyilatkozatot vagy egyéb nyilatkozatot / to represent me (us), to seek remedy, to make statements and declarations with or without legal effect before the Hungarian Intellectual Property Office according to the following:

☐ a meghatalmazás a megjelölt ügy(ek)el kapcsolatos valamennyi eljárásvitelére, így különösen okirat, pénz és más vagyontárgy átvételére jogosít / This authorisation gives power to the representative to act for me (us) in all proceedings concerning the following cases and to receive payments on my (our) behalf:

☐ a meghatalmazás a megjelölt ügy(ek)el kapcsolatos következő eljárás(ok)ban jogosít fel képviseletre / This authorisation gives power to the representative to act for me (us) in the following type of proceedings, in the cases specified below:

Eljárás megjelölése / Following type of proceedings:

Ügyszám / Application number*:

Lajstromszám / Registration number:

*Az úgy beazonosításához kérjük feltétlenül adja meg az ügyszámot! / Please specify the application number, it is necessary for the identification of the case!

(Pontos hely, használja a pótlapot és csatolja kérelméhez / If the space is not enough, use a continuation sheet and attach it to the form)

Pótlapok száma / Number of continuation sheets:

Egyéb információ / Other information:

Aláírás(ek), dátum, hely / Signature(s), date and place

Aláírás(ek) / Signature(s):

Aláíró(k) neve / Name(s) of the signing person(s):

Aláíró(k) beosztása / Title, position of the signing person(s):

Hely / Place:

Dátum / Date:
Általános meghatalmazás / General Authorisation

Alulírott / (We)

Név / name: ____________________________
Cím / Address: ____________________________

Ország / Country: ____________________________  Irányítószám / Postal code: ____________________________
Fax szám / Telephone number: ____________________________  Telefonszám / Telephone number: ____________________________
E-mail cím / E-mail address: ____________________________

Levelezési cím (amennyiben eltér a címtől) /
Mailing address (in case it differs from the address)
Ország / Country: ____________________________  Irányítószám / Postal code: ____________________________
Fax szám / Telephone number: ____________________________  Telefonszám / Telephone number: ____________________________
E-mail cím / E-mail address: ____________________________

Levelezési cím (amennyiben eltér a címtől) /
Mailing address (in case it differs from the address)
Ország / Country: ____________________________  Irányítószám / Postal code: ____________________________
Fax szám / Telephone number: ____________________________  Telefonszám / Telephone number: ____________________________
E-mail cím / E-mail address: ____________________________

hogy a következők szerint lásson el képviselhetet a Szellemi Tulajdon Nemzeti Hivatala előtt, éljen jogorvoslattal, illetve tegyen jognyilatkozatot vagy egyéb nyilatkozatot / to represent me (us), to seek remedy, to make statements and declarations with or without legal effect before the Hungarian Intellectual Property Office according to the following:

általános, valamennyi iparjogvédelmi ügyben történő eljárásra jogosító meghatalmazás / General authorisation, in all industrial property proceedings
általános, valamely ügyeseményben történő eljárásra jogosító meghatalmazás / general authorisation in the type of proceedings defined below

Ügyesemény megjelölése / General authorisation in the following proceedings:

Ezen meghatalmazás feljogosítja a meghatalmazottat minden olyan cselekményre, amely a rábízott ügy ellátásával jár, így különösen okirat, pént és más vagyontárgy átvételére. / This authorisation gives power to the representative to perform any act necessary to conduct said proceedings, to receive documents, money or other valuables.

Az általános meghatalmazás érint-e valamely korábban az SZNTH-hoz benyújtott más általános meghatalmazást? / Does the general authorisation affect any other general authorisation(s) submitted previously to the HIPO?
m nem / no
igen / yes

Amennyiben a fenti kérdésor „igen” a válasza, kérjük részletezze /In case your answer is „yes” please provide details:

Egyéb információ / Other information:

Aláírás(ok), dátum, hely / Signature(s), date and place

Aláírás(ok) / Signature(s):

Aláíró(s) neve / Name(s) of the signing person(s):

Aláíró(s) beosztása / Title, position of the signing person(s):

Hely / Place:

Dátum / Date:

(28 June 2018)