

## HUNGARY

Updated information on certain aspects of national patent law

### *Inventive step*

The invention is not obvious to a person skilled in the art having regard to the state of art. The state of the art consists of everything made available to the public by a written description, oral communication, use or in any other way before the filing date (priority date).

### *Disclosure requirement*

An application shall disclose the invention in a manner sufficiently clear and detailed for it to be carried out by a person skilled in the art on the basis of the description and the drawings. The industrial applicability of a sequence or a partial sequence of a gene shall be disclosed in the patent application.

If an invention involves the use of or concerns biological material which is not available to the public and which cannot be disclosed in the manner required above, the invention shall be considered disclosed in a sufficient and detailed manner, provided that

(a) the biological material has been deposited in compliance with the provisions of the Budapest Treaty;

(b) the application as filed contains such relevant information as is available to the applicant on the characteristics of the biological material deposited;

(c) the patent application states the name of the depositary institution and the accession number.

### *Exceptions and limitations*

4. Acts concerning products put on the market in the territory of the European Economic Area by, or with the consent of, the patentee, except where the patentee has legitimate interest to oppose the further marketing of the product.