HU – HUNGARY

NATIONAL COLLECTION OF AGRICULTURAL AND INDUSTRIAL MICROORGANISMS (NCAIM)

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1. Requirements for Deposit

(a) Kinds of Microorganisms that May Be Deposited

Bacteria (including *Streptomyces*) except obligate human pathogenic species (e.g., *Corynebacterium diphtheriae*, *Mycobacterium leprae*, *Yersinia pestis*, etc.).

Fungi, including yeasts and molds, except some pathogens (*Blastomyces*, *Coccidioides*, *Histoplasma*, etc.), as well as certain basidiomycetous and plant pathogenic fungi which cannot be preserved reliably.

The following may not, at present, be accepted for deposit:

- viruses, phages, rickettsiae,
- algae, protozoa,
- cell lines, hybridomas.

(b) Technical Requirements and Procedures

(i) Form and Quantity

The NCAIM accepts microorganisms for deposit as either lyophilized preparations or active cultures. The minimum number of replicates that the depositor must supply when making his deposit is 25 for lyophilized preparations or three for active cultures.

(ii) Time Required for Viability Testing

The average length of time required for testing the viability of microorganisms accepted by the NCAIM is seven days, but depositors should realize that in some cases viability testing may take as long as 14 days.

(iii) Depositor Checks and Renewal of Stocks

Where the microorganism is deposited in active culture, the NCAIM prepares its own batches by subculturing the material supplied by the depositor. The depositor is required to check for authenticity samples of all such batches. The NCAIM does not prepare its own batches of microorganisms that have been supplied as lyophilized preparations by the depositor.

In all cases, the NCAIM renews diminishing stocks of deposited microorganisms by asking the depositor to make a new deposit.

Whichever method is used for preparing batches of samples for distribution, the NCAIM nevertheless stores a portion of the original material supplied by the depositor.

(c) Administrative Requirements and Procedures

(i) General

Language. The official language of the NCAIM is Hungarian. Communications are also accepted in English, French, German and Russian.

Contract. The NCAIM does not enter into a written contract with the depositor defining the liabilities of either party. However, by signing the NCAIM deposit form the depositor surrenders any right to withdraw his deposit during the required storage period.

Import and/or Quarantine Regulations. The kinds of microorganisms accepted by the NCAIM are not subject to import or quarantine regulations.

(ii) Making the Original Deposit

Requirements to Be Met by the Depositor. The depositor is required to complete model form BP/1, which is used by the NCAIM as its accession form for Budapest Treaty deposits. In the event of later indication or amendment of the scientific description and/or proposed taxonomic designation, and a request for attestation that the NCAIM has received such information, the depositor must complete model form BP/7.

Official Notifications to the Depositor. The receipt and viability statement are issued on mandatory "international forms" BP/4 and BP/9, respectively. Attestation of receipt of a later indication or amendment of the scientific description and/or proposed taxonomic designation is issued on model form BP/8. Notification of furnishing of a sample to a third party is issued on form BP/14. The NCAIM uses its own standard letters for other official notifications.

Unofficial Notifications to the Depositor. If requested, the NCAIM will telephone or e-mail the date of deposit and accession number after the microorganism has been received, but before the official receipt is issued. The NCAIM will similarly communicate the result of the viability test before the viability statement is issued.

Supply of Information to a Patent Agent. The NCAIM does not routinely ask the depositor for the name and address of his patent agent. However, if requested, the NCAIM will send copies of the receipt and viability statement to both the depositor and his patent agent.

(iii) Converting a Previous Deposit

Deposits made outside the provisions of the Budapest Treaty may be converted by the original depositor to Budapest Treaty deposits, whether or not they were originally deposited for patent purposes. All conversions are subject to the storage fee normally levied for Budapest Treaty deposits, regardless of whether any fee had previously been paid in respect of those deposits.

The administrative requirements for conversion are the same as those to be met in respect of an original deposit made under the Treaty.

(iv) Making a New Deposit

The depositor is required to complete model form BP/2 when making a new deposit and to supply copies of the relevant documents required by Rule 6.2. The receipt and viability statement are issued on mandatory "international forms" BP/5 and BP/9, respectively.

2. Furnishing of Samples

(a) Requests for Samples

The NCAIM advises third parties of the correct procedures to follow in order to make a valid request. In the case of requests requiring proof of entitlement, the NCAIM will provide requesting parties with copies of model request form BP/12 and/or request forms used by individual industrial property offices (where it has been supplied with such forms). Notwithstanding any entitlement to receive samples under patent regulations, a requesting party must show, by a business letterhead or requisition form or in some other way, that he is trained in microbiology and has access to a properly equipped laboratory. When responding to requests from overseas, the NCAIM assumes the requesting party has met the import requirements of his own country.

Samples furnished by the NCAIM may be from preparations supplied by the depositor, or from its own preparations, depending on the form in which the microorganism was deposited.

(b) Notification of the Depositor

Depositors are notified on model form BP/14 when samples of their microorganism have been furnished to third parties.

(c) Cataloguing of Budapest Treaty Deposits

The NCAIM does not list Budapest Treaty deposits in its published catalog.

3. Schedule of Fees

	HUF
a) Storage	202,500
b) Issuance of an attestation pursuant to Rule 8.2 of the Regulations under the Treaty and communication under Rule 7.6 of the Regulations under the Treaty	13,500
c) Issuance of a viability statement with the exception provided for in the first sentence of Rule 10.2(e) of the Regulations of the Treaty	33,750
d) Furnishing of a sample with the exception provided for in the first sentence of Rule 11.4(h) of the Regulations under the Treaty	40,500

The fees shall be paid to the account number of the Hungarian University of Agriculture and Life Sciences with the identification of the identifying data.

4. Guidance for Depositors

The NCAIM does not at present produce a standard letter or guidance notes for prospective depositors.