

HUNGARY
Trademark Regulations
Decree No. 19 of 1997
ENTRY INTO FORCE: July 1, 1997

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Article 1 The Trademark Application

The trademark application shall contain:

- (a) a request;
- (b) the sign;
- (c) the list of goods and services;
- (d) where the application concerns collective or certification marks, the regulations;
- (e) a priority document where convention priority is claimed;
- (f) where exhibition priority is claimed, the relevant certificate;
- (g) the document appointing the representative, if any;
- (h) a fee for administrative services prescribed by special decree.

Article 2 The Request

(1) The request shall be filed in one copy and shall contain:

- (a) the name and address of the applicant; if there are several applicants, the shares of their entitlement if they are not equal;
- (b) the sign or a reference to the sign attached in accordance with Article 3(1), and an indication of the type of the sign (i.e. signs consisting of words, figures, colours, three-dimensional forms, sound or light signals);
- (c) the list of goods and services or a reference to this list attached in accordance with Article 3(2);
- (d) the name and address of the representative, if any;
- (e) when claiming convention, exhibition or internal priority, a declaration to this effect, indicating the filing date, country and number of the foreign trademark application in the case of convention priority, the date and name of the exhibition in the case of exhibition priority, or the filing date and reference number of the pending trademark application in the case of internal priority;
- (f) a petition for the registration of a trademark;
- (g) a list indicating the documents attached to the request;
- (h) the signature of the applicant (of all of the applicants) or of the representative.

(2) The request may also be prepared by completing a form which may be obtained from the Hungarian Patent Office free of charge.

Article 3 The Sign and the List of Goods

(1) A sign whose graphical representation differs from the standard

form of writing shall be filed in five identical copies, where the length of sheets shall possibly not exceed 8 cm, prepared as follows:

- (a) a colored sign in color;
- (b) a three-dimensional form in two-dimensional reproduction;
- (c) colors, light signals and holograms in figures or pictures;
- (d) sound signs in notes.

(2) Where the volume of listing the goods and services so justifies, the list of goods may commence on a new sheet; it shall be filed in one copy.

Article 4 The Application for the Protection of Geographical Indications

(1) The application for the registration of a geographical indication shall contain:

- (a) a request;
- (b) the name and type (geographical sign or appellation of origin) of the geographical indication;
- (c) the list of products (indication of the products with respect to which the protection of the geographical indication is claimed);
- (d) in the case of geographical indications concerning agricultural products or foodstuffs, the product specification accompanied by a certification that the products bearing the geographical indication comply with the conditions specified in the product specification;
- (e) the document appointing the representative, if any;
- (f) a fee for administrative services prescribed by special decree.

(2) At the special invitation of the Hungarian Patent Office it shall be certified that the applicant produces, processes or prepares, in the defined area, a product for the designation of which the geographical indication is used.

Article 5 The Request, Name and List of Products Concerning the Geographical Indication

(1) In the case of applications for the registration of geographical indications the provisions of Articles 2 and 3 shall apply mutatis mutandis to the preparation of the request, to the name of the geographical indication and to the filing of the list of products.

(2) The request for the protection of geographical indications may also be prepared by completing a form which may be obtained from the Hungarian Patent Office free of charge.

Article 6 Entry into Force

(1) This Decree shall enter into force on July 1, 1997; its provisions shall apply to trademark applications and to applications for the protection of geographical indications filed after its entry into force.

(2) Simultaneously with the entry into force of this Decree the Announcement No. III-OTH-1970 on the Detailed Formalities of Trademark Applications shall be repealed.