

## SUMMARIES

### TRADEMARK AND COMPETITIVENESS

*Dr. Miklós Bendzsel*

The lecture was delivered in the common conference of the Hungarian Patent Office, the Hungarian Trademark Association and the Hungarian Association for the Protection of Industrial Property and Copyright under the title 'Ten years of the Hungarian Merchandise Marks Act' in June 2007. The lecturer emphasized of the conception of trademarks as a means in market competition, the importance of the harmonization of Hungarian and European trademark laws, the institution of a single internal market, and summed up the service portfolio of HPO facilitating trademark protection for clients.

### REQUIREMENT OF "INVENTIVE STEP" IN UTILITY MODEL LAW

*Dr. József Markó*

In this paper, the author deals with the relation of the inventive step for utility models to the inventive activity for patents, and with the assessment of this important and delicate requirement in the practice by a brief international comparison. By analysing 13 Hungarian decisions from this field he is going to give a broader overview about the local case law, too. Finally, the author proposes a special legal test in order to make the assessment of the inventive step in the everyday work more simple, homogeneous and objective.

### ARCHIVES IN A NEW WORLD: EFFECTS OF DIGITIZATION ON LIBRARIES – PART I

*Dr. Anikó Gyenge*

The digital preservation of the cultural heritage and the online presence of the libraries is not only a policy question of the cultural government, but also a question that has to be replied by the copyright legislation. The 2004 Amendment of the Copyright Act took the first steps in the direction of a new world of archives and libraries, but the legislator must go on this way. The first part of this essay focuses on the classification of legal and illegal collections and analyses the law in force applied to them, raising some relevant questions in connection with the legislative solutions.

## SECRET DATA ACQUISITION AND INTERNATIONAL COOPERATION IN THE FIELD OF FURNISHING EVIDENCE OF THE ILLEGAL DOWNLOADS AND INSTALLATION OF SOFTWARE PROGRAMS

*Dr. Tibor Papp LL.M*

After the essential legislation was assigned in point of the topic and after the short substantive law briefing, the author reviews the data managed by the provider, then he analyses the provider's contribution in the covert information-gathering requiring a warrant. After this the author confers the international cooperation of law enforcement agencies, the extradition, and he makes out his case about the regulations relative to the special forms of the procedural assistance, he rates the contact keeping methods, which subserve the exchange of information. Finally, the author reviews his criticism about the regulation.

## PROTECTION OF DIGITAL CONTENTS UNDER COPYRIGHT LAW IN AN ONLINE ENVIRONMENT – PART II.

*Gergely Spránitz*

After putting the problem of the first part, enacted copyright law is discussed in the second one, where international civil and criminal law approach to the Czech regulations, then to Polish and Hungarian acts. In the way of criticism the purpose of the second part is to suggest alterations for the procession of legislation and jurisdiction to create more efficient regulation for protection of legitimated users.

## REQUIREMENTS IN CONNECTION WITH SIGNING AND CERTIFYING DOCUMENTS USED IN PATENT PROCEDURE

*Dr. Tivadar Palágyi*

The author describes the requirements which should be satisfied in the individual countries in connection with signing and certifying documents used in the patent procedure. At first he examines the special prescriptions relating to the signing and, resp., certifying documents to be filed in case of foreign patent applications. Thereafter he outlines the prescriptions regulating the formal requirements of signing documents during the examination, opposition, appealing and court procedures in the more important European countries, further at the European Patent Office and in the United States of America.

## DISTINCTIONS OF A TERM WHICH IS GENERIC IN AN OTHER LANGUAGE – THE CASE MATRATZEN BEFORE THE ECJ

*Dr. Sándor Vida*

The device mark MATRATZEN CONCORD was judged by the ECJ two times: firstly the ECJ ruled on the opposition filed by the owner of the Spanish national mark MATRATZEN against the CTM application MATRATZEN CONCORD. In this first case the opposition was successful and the CTM application was dismissed (C-3/03P). Then in the cancellation case brought by the applicant of the CTM MATRATZEN CONCORD before the Spanish national court against the national mark MATRATZEN, the national court sought for reference with the ECJ. The latter judged (C-421/04) in conformity with the first ruling, that the Directive does not preclude registration as a national mark of a term borrowed from the language of another Member State in which it is devoid of distinctive character or description of the goods in respect of which registration is sought, unless it is possible to identify the meaning of the term.

## A CAREER IN THE DUAL MONARCHY – MANFRED WEISS WAS BORN 150 YEARS AGO

*Ildikó Longa*

During many decades Csepel Works was the largest and most successful company of the Hungarian metal industry. Step by step, Manfred Weiss had built an enormous, multi-profile factory, based mainly on munitions industry. The article follows the unique career of Manfred Weiss and the growth – and after his death the decline – of Csepel Works.