

## SUMMARIES

### LEGAL REGULATION OF GEOGRAPHICAL INDICATIONS, WITH SPECIAL REGARD TO THE PRACTICE OF THE EUROPEAN COURT OF JUSTICE

*Petra Tarjányi*

Geographical indication is the general term for indications used to identify the geographical origin of goods. Geographical indication is a relatively small segment in relation to the legal system of the European Union and the Hungarian legal system as well. However, it also plays a decisive role in the preservation of natural values, the maintenance of traditional products, and the economy and competitiveness between countries. This study examines the regulation of this right revealing its development with some case law of the European Court of Justice. The publication aims to highlight the outstanding role of the legal institution of geographical indication.

### SOFTWARE COPYRIGHT – LICENCE AGREEMENT OF OPEN-SOURCE SOFTWARE

*János Szabó*

In the last few years open source softwares became a prominent actor in the software industry. The study presents the contractual background of these softwares with specific regard to the General Public License. The presentation of the general legal background is followed by the analysis of the possible enforceability of GPLv3 before Hungarian courts. The practice of the courts and the changes in the business model also get attention.

### HASHTAGS AND TRADEMARK PROTECTION

*Dr Endre Millisits*

Although IT developments are not intended originally to create property, they are facing to legal challenges and questions to be solved such as internet domain names or Google Adwords. And nowadays hashtags, i.e. metadata are widely used in social media from Twitter to Facebook all around the world. The success story of hashtags was combined with efforts that intended to monopolize the decisions who might be the users of some common words relating to olympics. These words appeared in several rules of the IOC, USOC or even in a piece of Hungarian law of 2016. These developments were widely criticized. In January

2017 the USPTO completed its TMEP with the rules how questions relating to hashtags should be decided in trademark proceedings.

#### CLARIFICATION OF RESPONSIBILITY ISSUES RELATED TO THE MAKING AVAILABLE COPYRIGHT-PROTECTED MUSICAL WORKS FOR DOWNLOAD VIA PUBLIC WIFI NETWORK

*Dr Zsigmond Ferge*

One of the objectives of the European Law – as the framework of the member states for potential actions – is to find prompt and effective solutions for legal obstacles arising within the online environment and to ensure that sanctions are effective, proportional and dissuasive in order to protect copyrights and related rights with existing EU and national legislation. The European Court of Justice, in its decision under analysis, has found that making WI-FI network available free of charge for the public – with the purpose of bringing potential customers' attention to goods or services of businesses – falls under term called “information society services” used in the E-commerce directive. The aggrieved copyright holder cannot claim indemnity from the supplier of the WI-FI network when third persons use the network connection to infringe his copyrights. The reason for that is that the directive provides a conditional exemption for the intermediaries from their liability for illegal activities initiated by any third persons. Does this mean that no other options are available?