



Patent Agenda

Hungarian National Group of AIPPI

It has been noted that under point 3 there is a chapter devoted to the need of a well-balanced patent system. As it is rightly stated in this chapter, legal certainty with respect to patent granting and invalidation proceedings is an important pillar of the patent system.

We think there is another aspect of legal certainty which is worth mentioning. Namely, third parties shall have a real possibility to get knowledge of the existence, scope and boundaries of exclusive patent rights that have to be respected. A law-abiding behaviour of entities active in the field of industry and commerce, on which behaviour the patent system is ultimately based, can only be expected if the above criteria are met.

Of course, these criteria are core elements of any constitutional legal obligation. However, we have the feeling that in international discussions about industrial property rights concentrating only to enforcement and reduction of patenting costs, this aspect has been often forgotten.