Survey on Intellectual Property Data Exchange

Response ID:206 Data

2. Identification page

1. Please enter the ST.3 code of the member state or inter-governmental organization you represent.

HU - Hungary

2. Please enter the name of the Office or Organization you represent. For instance, International Bureau of WIPO.
If your Organization name is the same as your ST.3 code name, you may put "n/a".

Hungarian Intellectual Property Office

3. Types of IP data exchanged

5. Does your Office provide or collect IP data?

Yes, only providing (we provide data to other Offices)

6. In what context is IP data exchange performed?

Bilateral agreements

4. Types of IP data exchanged

7. Select the IP domains for which your Office provide or collect data.

	Provide	Collect	Both, provide and collect	Not applicable
Patents	X			
Trademarks	X			
Industrial designs	X			
Geographical indications				X

Other (please specify):

8. What types of IP data does your Office provide or collect?

Patents

	Provide	Collect	Both provide and collect	Not applicable
Bibliographic data (including classification information)	X			
Full-text publication data (including, description and claims)	X			
Full-image publication data (including bibliographic data, abstract, description and claims)	X			
Drawings (2D images, 3D models or 3D images)	X			
Citation information from search and/or examination	X			
Legal status data				X
Sequence listing data	X			
Office actions				X
Examination reports/Search report	X			
Statistical data (Added value data)	X			

Other (please specify):

Trademarks

	Provide	Collect	Both provide and collect	Not applicable
Bibliographic data (including classification information)	X			
Full-text publication data				X
Mark representation (2D images, 3D models, 3D images, audio or video)	X			
Legal status data				X
Examination reports/Search reports				X
Office actions				X
Statistical data (Added value data)	X			

Other (please specify):

Industrial Designs

	Provide	Collect	Both provide and collect	Not applicable
Bibliographic data (including classification information)	X			
Full-text publication data				X
Industrial design representation (2D images, 3D models, 3D images, audio or video)	X			
Legal status data				X
Examination reports/Search reports				X
Office actions				X
Statistical Data (Added value data)	X			

Other (please specify):

Geographical Indications

	Provide	Collect	Both collect and provide	Not applicable
Bibliographic data (including classification information)				X
Full-text publication data				X
Geographical indication representation (labels or images)				X
Legal status data				X
Office actions				X
Statistical Data (Added value data)				X

Other (please specify):

5. Types of IP data exchanged

9. Which type of file formats are used when your Office provides and/or collects IP data?

Document and archive format

XML
PDF
TXT
ZIP

2D images

JPEG

Audio, video and multimedia

MP3

MP4

3D model and 3D images

Not applicable

6. Types of IP data exchanged

10. Please indicate the data format related to WIPO Standards implemented by your Office in providing or collecting IP data

WIPO Standard ST.96: Recommendation for the processing of intellectual property information using XML

Patents

WIPO Standard ST.97: Processing of Intellectual Property information using JSON

Not applicable

Other WIPO Standards

WIPO Standard ST.26: Recommended standard for the presentation of nucleotide and amino acid sequence listings using XML
WIPO Standard ST.27: Recommendation for the exchange of patent legal status data
WIPO Standard ST.36: Recommendation for the processing of patent information using XML
WIPO Standard ST.91: Recommendations on digital three-dimensional (3D) models and 3D images

7. Reason for collecting IP data

11. Why does your Office collect IP data from other Offices?

For internal use

Not applicable

For public dissemination

Not applicable

For external distribution

Not applicable

8. IP data delivery methods/means

12. Which methods and/or means does your Office currently use to provide IP data?

SFTP/FTP/FTPS
Other (please specify): Blockchain

9. Challenges

13. What challenges does your Office face in relation to providing IP data to other Offices?

Organizational and technical challenges

IP data are digitized but have poor quality and need to be corrected first

Legal and policy challenges

IP data should be shared in compliance with applicable personal data protection requirements
IP data is shared on condition that it is used for legitimate purposes

Financial challenges

The Office views IP data a potential source of revenue for the Office, that cannot be shared free of charge

14. What challenges does your Office face in relation to collecting IP data to other Offices?

Organizational and technical challenges

Not applicable

Legal and policy challenges

Not applicable

Financial challenges

Not applicable

10. Proposed solutions

15. What following proposed solutions could help your Office address the challenges your Office selected above?

Provide a portal to enhance communication between Offices to share experiences on IP data exchange

11. Proposed solutions

. What recommendations should be included in the new WIPO standard on the recommendation for the exchange of IP data and its use?

Technical recommendation

Legal and policy recommendations on IP data use

Procedural and operational guidance

12. Legal and contractual framework for data exchange

16. Does your Office or your country have any national and/or regional laws or regulations that govern the transfer by your Office of IP data (including hosting or redistribution) outside of your jurisdiction?

Yes (please specify the relevant law, regulation, policy, national practice, strategy, or rule that the Office is required to comply with, including the title, reference number, and/or URL to the source of information): Act Nr. CI of 2023 on the re-use and utilisation of national data assets, Regulation (EU) 2022/868 on European data governance and amending Regulation (EU) 2018/1724 (Data Governance Act) and the GDPR

17. Does your Office have formal written agreements (such as contracts/MoU/MoC/ToU/License Agreement) for data exchange with other IP Offices?

Yes, either bilateral contract/MoU/MoC/ToU is required

18. If possible, please provide template(s) of bilateral contract/MoU/MoC/ToU/License Agreement that your Office uses

19. Does your Office have formal written agreements for the provision of data to third parties? *(such as: MoU, MoC, ToU, contract, license agreement)*

Other (please specify): The HIPO has concluded two contracts in the past, any further date reuse or sharing agreements are on hold until the clarification of the ammended legal environment.

13. Conditions for provision, use and dissemination of IP data

20. How does your Office currently authorize the use and dissemination of exchanged IP data?

Authorized in other methods or conditions (please specify): The authorisation of the re-use of public sector information is currently on hold at HIPO due to changes and ambiguity of the regulation. HIPO is currently working together with the Hungarian Data Poretcion authority and the Agency for digital data assets to comply with national and EU level regluation.

21. How does your Office implement the reciprocity principle in practicing IP data exchange with other IP offices?

Bilaterally agreed by two sides

22. What reciprocity policy re-distribution would your Office support?

Exchange with no re-distribution rights (please provide details): Exchange with unconditional re-distribution rights; Exchange with re-distribution rights conditional on compliance with specific use restrictions.

23. Would your Office support a recommendation that Offices provide their IP data free of charge or at marginal cost to the general public and any third party?

No, our Office does not support providing IP data free of charge or at a marginal cost (please provide the reason):

14. Conditions for provision, use and dissemination of IP data

24. If your Office does not support free or marginal cost data provision, what barriers exist to implementing such recommendation?

Other (please specify): Costs are set in accordance with the Data Governance Act of the EU

15. Conditions for provision, use and dissemination of IP data

25. What level of internal use does your Office permit when sharing IP data with partner Offices?

Restricted internal use, permissible only for specific applications or uses

16. Conditions for provision, use and dissemination of IP data

26. If permissible for certain applications or uses, which of the following internal uses are permitted?

Examination and search activities

17. Conditions for provision, use and dissemination of IP data

27. Does your Office permit partner Offices to provide IP data shared with them (including in bulk form) to third parties?

Permissible only under certain conditions

18. Conditions for provision, use and dissemination of IP data

28. Under what conditions would the provision of such data to third parties be permissible?

When the scope of third parties and the scope of data have been documented in a data exchange agreement/MoU or approved in writing

Please provide reasons why your Office does not permit the provision of such data to third parties

19. Data quality and error correction

29. Does your Office have mechanisms for checking data for assuring the quality of IP data before sharing them?

Yes

30. Which methods do you use on mechanisms for checking data for assuring the quality of IP data?

Manual review processes
User feedback mechanisms
Regular audits
Other (please specify): Data quality check from EPO

20. Data quality and error correction

31. Would your Office agree to partner Offices using their quality assurance mechanisms to detect errors in your IP data and providing them to your Office, for corrections at the source?

Yes

32. Would your Office permit partner Offices to correct errors in your IP data before they use internally, publish or share it?

Not permitted: Partner Offices must not alter our IP data in any way and must report errors and await corrected data from my Office

Please provide details of permissible corrections

33. What would be the timeframe to make the corrections?

2 months

34. Is your Office able to make the corrections, or does the applicant need to be part of this process?

No, our Office can't make the corrections without applicant/IP right holder permission (please explain):

35. How will these corrections be tracked and managed?

Corrections are handled by the Office in accordance with the procedures set out in the applicable legislation, depending on the nature of the error. Where the correction requires a formal administrative action and publication in the Official Gazette, the corrected data will be provided within two months. If the correction of the data error does not require an administrative action, the responsible business area will correct the error as soon as possible and notify the Partner of the correction.

21. Data quality and error correction

36. Does your Office apply any quality assurance mechanisms to the datacollected from other Offices?

Not applicable, our Office does not collect IP data

22. Update frequency

37. What update frequency can your Office as providing Office realistically support?

	Real-time	Daily	Weekly	Monthly	Quarterly	Annually	Not applicable
Patents				X			
Trademarks				X			
Industrial designs				X			
Geographical indication							X

Other (please specify):

38. Please provide any additional information or comments.