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Observations to the so-called „Lisbon Agreement”.

1. The Lisbon Agreement does not provide adequate protection against counterfeit and the infringement of trademarks, as during the legal procedure the infringer may use the name, or produce the product until their is a final court decision.

This procedure is quite costly and time consuming, especially in an international lawsuit.

During that time the infringer righteously performs the production and sales of the product. It seems the law protects the trademark infringer rather than the plaintiff.

2. In case of proprietary products which is higher, in other words which is the superior provision, the Lisbon trademark protection or the geographical or origin-protected product approved by the EU?

If a product is under proprietary protection according to the Lisbon treaty, the product belongs to a given producer that is to the owner of the trademark.

However the geographical protection belongs to a given region, which means that several companies may produce it if observing the expectations, specifications.

3. The use of the “Domain name” is neither in compliance with the Lisbon protection nor with the EU geographical or origin-protection regulation.

The use of the Domain name serves or may serve speculation purposes.

Békéscsaba, 24th November 2009

Ferenc Dékány
Counsellor