

Hungary

Act XXXIII of 1995 on the protection of inventions by patents and Act XI of 1997 on the protection of trademarks and geographical indications do not provide for special relief provisions in *force majeure* situations.

However, both Acts contain provisions on *restitutio in integrum*. Requests for *restitutio in integrum* may be submitted within 15 days from the last day of the missed deadline or the last day of the time limit. If the failure became subsequently known to the party or the cause of the failure was subsequently removed, the 15-day time limit shall be counted from the date on which the failure to comply became known or the cause thereof was removed. Nevertheless, *restitutio in integrum* shall only be admissible within six months of the missed deadline or the last day of the time limit. The request must state the grounds of failure to comply and the circumstances showing that the failure to comply occurred in spite of all due care. However, *restitutio in integrum* is *ex lege* excluded in certain cases, such as for failing to comply with the 12-month time limit for the claiming of priority under the Paris Convention. Where a time limit is not complied with, the omitted act must be carried out simultaneously with the filing of the request for *restitutio in integrum*.

The Hungarian Patent Office does not require any declaration or other evidence proving *force majeure* circumstances.

In accordance with Act XX of 1949 on the constitution, Act CV of 2004 on national defense and Act LXXIV of 1999 on the management of disasters and civil emergencies, the Hungarian Government or the Parliament has the competence to order the temporary interruption of work or to modify the operations of the Hungarian Patent Office.

Act CXL of 2004 on the general rules of administrative procedures and services rules are as follows. Should the operation of an administrative body, i.e., the Hungarian Patent Office, be interrupted, as could be the case in a pandemic situation, and there is a deadline which falls on a day on which work and operation is interrupted, the deadline will expire on the next regular working day.

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