

Welcome address of Dr. Miklós Bendzsel, President of the Hungarian Intellectual Property Office

Conference on the Training of UPC Judges

Budapest, 13 May 2013, 11:00 – 11:15

Mr Minister,
Mr Minister of State,
Mr President of the European Patent Office,
Mr President of the Office for Harmonization in the Internal Market,
Mr Ambassador,
Distinguished members of national judiciaries and colleagues from IP offices,
Ladies and Gentlemen,
Distinguished Guests!

On behalf of the Hungarian Intellectual Property Office, host and co-organizer of this remarkable event, it is a great honour for me to address and greet the participants of the Conference dedicated to the Training of the Judges of the Unified Patent Court.

I am delighted to note that our Conference has been supported by the Hungarian Ministry of Public Administration and Justice. I would also like to seize the opportunity to thank our professional partners, the co-organiser of this event, the European Patent Office and the Office for Harmonization in the Internal Market for their generous support that enables us to meet here today in these beautiful premises and to mark the inauguration of the Training Centre with a gala dinner today in the evening.

Let me furthermore extend a special welcome to the distinguished leaders of the Preparatory Committee and Select Committee, Mr Paul van Beukering and Mr Jérôme Debrulle, leading the preparatory work phase before the entry into force of the Agreement on the Unified Patent Court and the responsible work on the smooth implementation of the unified patent protection.

I would also like to welcome Ambassador Mr Olivér Várhelyi, the coordinator of the Preparatory Committee's Human Resources and Training Working Group. I believe that his dedicated work is a clear testimony of Hungary's continuous commitment to the reform of the patent system in Europe.

We feel particularly honoured as several national judges and also high ranking officers from the national administrations from Europe are here with us today.

When the idea of organising this Conference was conceived, we envisaged to build it on two pillars. On the one hand, we felt the need to provide for a platform of formal and informal discussions concerning the ongoing work in the Preparatory Committee in respect of the training of judges. On the other hand, we decided to present to the

professional community and the interested circles the efforts of the Hungarian Government in creating this new European judiciary system for "ordinary" European patents and European patents with unitary effect.

The importance of this Conference is also highlighted by the fact that it is linked directly to another significant step in our work, the inauguration of the Training Centre. As provided for in Article 19 (nineteen) of the Agreement on a Unified Patent Court, the facilities of the training framework for the UPC judges will be situated in Budapest. It is an honour for Hungary to host this facility. As you know, the headquarters thereof, the Training Centre, is located in this building.

The Hungarian Intellectual Property Office is well aware of the importance of effective enforcement of IP rights. The value of IP rights depends to a large extent on their enforceability. A well-functioning judicial system is of paramount importance in the patent system. Assisting the efforts in the preparatory phase of the UPC, the HIPO shares the view that the training of candidate judges of the UPC is an urgent task and has to be started well before the entry into force of the Agreement; only well trained judges can ensure the high quality work of the UPC right from the first day of its operation.

What is the role of an IP office at national level in this changing context? It is self-evident that IP offices cannot remain passive when the enforcement of IP rights is at stake. I believe that a national IP office has the duty to give enforcement authorities all the assistance they need in order to contribute to an effective enforcement system for IP rights. In our case, this assistance covers three main areas of activity: first, our Office contributes to an effective legislation on IP matters, second, it disseminates knowledge to enforcement authorities, such as the Hungarian judiciary, and third, it raises awareness of IP rights among users and consumers. Let me refer to the establishment of the National Board Against Counterfeiting, which was originally initiated by our Office. The coordinative role and awareness raising activity of the National Board Against Counterfeiting, chaired by Mr Róbert Répássy, Minister of State of the Ministry of Public Administration and Justice is a true success story.

Acknowledging the importance of the National Board Against Counterfeiting, this initiative was also taken on board by the Jedlik-plan, Hungary's first comprehensive national strategy in the field of intellectual property protection. Based on a detailed assessment of the most important IP institutions, their current situation and international trends, the Jedlik-plan, adopted by the Hungarian Government last August, outlines the aims to be achieved during the period from 2013 to 2016, and proposes the necessary lines of action.

One of the basic goals set by the Jedlik-plan is to improve the conditions of obtaining industrial property protection nationally and internationally. The system of unitary patent protection and the national measures related thereto are duly taken into account in this context.

The number of European patent applications hit an all-time high last year, as the European Patent Office received 265 000 European patent filings, which represents a 2,8 per cent rise as compared to 2012. The statistics of last year are also positive in respect of Hungarian applicants. The number of European patent applications filed by them rose by 4,3 per cent, and reached 196 in 2013, compared to 188 in 2012.

Against this background, the unitary patent and the UPC is in the final stage before entering into force. May I recall that the Council of the European Union took the landmark decision to authorize the enhanced cooperation in the area of the unitary patent protection under the Hungarian EU Presidency and that Hungary has always been firmly committed to making progress concerning this dossier. I am convinced that this two-day conference will give us new ideas as to how we should shape the training of UPC judges, as IP judges are and will be of key importance to enforcing European and unitary patents.

The Hungarian patent system will celebrate its 120th anniversary in 2015. In the European innovation processes, Hungary does not merely provide a creative workshop for products like Rubik's Cube, the glass concrete or the intelligent surgical knife (iKnife) but our country is among the best as regards the contribution of IP intensive industries to the GDP and to employment. All this provides an excellent background for the operation of a Training Centre for Judges working within the system established for the European patent with unitary effect. Budapest ensures a high quality framework for the nurturing of this new legal practice combining technical, legal and economic knowledge.

Let me conclude my welcome address by wishing you a fruitful and memorable conference. I am convinced that our excellent speakers will light the fire of highly interesting debates, and that early springtime Budapest will give you unforgettable memories. I wish you every success and a pleasant stay in Budapest.

Thank you for your kind attention!