

## SUMMARIES

### ECONOMIC ROLE AND PURPOSE OF INDUSTRIAL PROPERTY PROTECTION – PART II

*Dr Péter Osman*

The second part of the study outlines the mechanism whereby the protection of industrial property stimulates and promotes, according to the interests of the society and the national economy, the innovative activities, the exploitation of their results, and the entrepreneurial and investment activities centered on them. Indicates the fields of economy where without the umbrella of the protection of IP would have been not profitable, hence senseless to invest into innovation. It shows how the lack of the protection of IP would deform the structure of the macroeconomy, and surveys the main characteristics of the solution offered by the protection of IP.

### PLANT VARIETY PROTECTION (2008) – TAKING INTO ACCOUNT THE AMENDMENTS TO HUNGARIAN AND COMMUNITY LEGISLATION – PART II

*Dr Maria Gorka-Horvai*

The continuation of the essay reviews moves of granting plant variety protection, especially the substantive examination of applications for plant variety protection. It includes among others the process concerning granting and cancellation of plant variety protection.

### INTELLECTUAL PROPERTY RIGHTS IN SEMICONDUCTOR MANUFACTURING INDUSTRY AND ELECTRONICS TECHNOLOGY

*Dr Imre Mojzes*

Intellectual property (IP) is the living force for high-tech industries. Protection of these rights is a serious issue in semiconductor equipment and materials industry producing input components for electronics technology. Continued IP violations of various forms endanger the development of the next generation of equipment and materials. Core products, spare parts, components, trade marks and business information are involved in the infringements of lawful rights. The form and nature of IP violations in each region are different and characterized by various reasons.

THE TRIPS AGREEMENT IN THE DECISIONS OF THE EUROPEAN COURT –  
PART II: COMMUNITY COMPETENCIES AND THE TRIPS AGREEMENT IN THE  
FIELD OF COMMUNITY TRADE POLICY

*Péter Munkácsi*

The law of the World Trade Organization (WTO) since 1995 has been gradually intertwined with the European Community/European Union law. The influence of the WTO law on the EU law is not surprising. Today the WTO and the EU are the two most influential institutional and normative sites of governance of the world. After the overview of the direct effects of the TRIPS Agreement on Community law in the first part [2 (112). year, 1 Issue of „Iparjogvédelmi és Szerzői Jogi Szemle” 2007 February, 37 pp.] the present article examines the external relations competence of the European Community/European Union in particular. After a brief introduction of some landmark judgements such as ”AETR-ERTA”, ”Kramer”, the opinion 1/94 of the European Court of Justice, there is a legal analysis of the Article 133 (ex 113) of the EC Treaty for implementing the common commercial policy which contains provisions on external relations. Certain case law – inter alia ”ERSA” (”Tokaji”) – regarding TRIPS and the EU competence issues is mentioned.

PATENTABILITY OF NEW CRYSTALLINE FORMS OF PHARMACEUTICAL  
COMPOUNDS

*Dr Katalin Mikló*

Some important therapeutically active ingredients present polymorphism, that is, their crystalline units adopt several forms. Polymorphic forms may have different properties, so they can have different rates of uptake in the body, leading to lower or higher biological activity than desired. In extreme cases, an undesired polymorph can even be toxic. Therefore, independent patent applications on polymorphs have become increasingly frequent and important, but also controversial, as patents thereon are often used to influence the competition between brand manufacturers and the generic ones. Polymorphic claims are accepted in many patent offices, however, in some countries the patent law disables such claims, since they can be deemed within the prior art and as such they should be considered non inventive and unpatentable. This article gives full details on the background of polymorphic patents and also presents important court decisions relating to this topic without aiming at completeness.

THE FUTURE OF THE COMMUNITY TRADEMARK – INTERNATIONAL  
SCIENTIFIC CONFERENCE

*Dr Sándor Vida*

In October 2007 Max Planck Institute organized an international conference on the actual problems of community trademarks. Lectures were delivered on the following topics: harmonization of trademark laws, protection of trademarks and other protection forms, the relation of trademarks and other fields of law. In the fourth part of the conference the participants discussed the problems of the future development directions of trademark law.

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