

## SUMMARIES

### THE PROTECTION OF INTELLECTUAL PROPERTY RIGHTS AND THE COMMON COMMERCIAL POLICY OF THE EU

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As a consequence of the previous amendments of the founding treaties the trade policy competences of the EU became more integrated. The commercial aspects of intellectual property are already covered by the Article 207 TFEU as an exclusive competence, which enables the European Union to play a dominant role at international level. The main aim of this article is to summarize the evolution of the competence in this special trade related area and give an overview of the current position of the commercial aspects of intellectual property in the Union's competences.

### HOW TO DEFINE PRODUCTS IN TRADE MARK APPLICATIONS? DECISION OF THE COURT OF JUSTICE OF THE EUROPEAN UNION

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There exist different approaches between member states of the EU in respect of drafting specification of goods: in the majority of them filing class headings is acceptable, in some others the goods must be stated exactly. In the IP Translator case (C-307/10) the CJEU ruled, that the trademark application must be drafted with sufficient clarity and precision, and that the TM Directive does not preclude the use of general indications of class headings. After the judgement was rendered OHIM in the Communication No. 4/03 declared that the practice has to be in line with this judgement. Reported is on comments of Gonda, Hegedűs, Khwaja and von Bomhard, Guise and Holah, Bicknell. The Hungarian Intellectual Property Office published also a communication on the application of class headings in the practice. The author believes that a change of drafting applications is unavoidable in the practice, though the more serious changes will occur probably in contradictory procedures.