

SUMMARIES

ISSUES OF JURISDICTION AND APPLICABLE LAW OF PATENTS AND TRADEMARKS IN THE REGULATORY SYSTEM OF THE EUROPEAN UNION – PART I

Flóra Julianna Ádám

The purpose of the article is to review the international private law system of the European Union in the light of intellectual property legislation. We focus on the questions of interpretation arising from the practice of the European Court of Justice, and the ability of the current legislation to provide reassuring legal certainty when deciding on international disputes. We concentrate mainly on industrial property rights, i. e. patents and trademarks. In the first part we review the rules of jurisdiction in the regulatory system of the Brussels I bis Regulation. In this regard, we will also focus on the special status of the EU trademarks and the Unified Patent Court. We also discuss the regulatory proposals that aim to answer how private international law should be changed in relation to intellectual property rights.

LEGISLATIVE FRAMEWORK OF ART COLLECTING AND ART TRADE

Dr Zoltán Kiss

The study reviews the existing legal framework of art collecting and art trade, in particular of stakeholders' rights and obligations such as artists, art dealers and collectors. The primary fields of the analysis are copyright law, the rules of civil law, cultural rights (mainly cultural heritage protection) and financial law (mainly tax law). The most important conclusion of the review is that the legislation is adequate and sufficient in the area of copyright law and cultural heritage protection. Nonetheless, online art trade and verification of origin are uncontrolled and unregulated. Furthermore, there is a need for an organization to ensure compliance with the rules.

NINTENDO VS BIGBEN – DESIGN AND JURISDICTION IN THE SAME MATTER

Dr György Baksay-Nagy

The article summarizes shortly the design decision of the CJEU from September 2017 which was decided in a preliminary ruling. The decision has an important role from the design law perspective as it gives a detailed opinion on the citation of a design which may

be familiar from the trademark case law. The decision contains two more answers related to the applicable law and to territorial jurisdiction which answers are favorable for the design proprietor.

REVIEW OF SOME INTERESTING PATENT CASES IN THE ENGLISH COURTS IN 2016

Dr Tivadar Palágyi

This review attempts to summarize some interesting decisions of the English courts in 2016.