

WORLD TRADE ORGANIZATION

RESTRICTED

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**Council for Trade-Related Aspects
of Intellectual Property Rights**

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REVIEW OF LEGISLATION ON TRADEMARKS, GEOGRAPHICAL INDICATIONS AND INDUSTRIAL DESIGNS

Questions posed by the European Community and its Member States

By means of a communication from the Permanent Delegation of the Commission of the European Community, dated 31 October 1996, the Secretariat has received questions that the European Community and its Member States had communicated to Hungary concerning the review of national implementing legislation in the areas of trademarks, geographical indications and industrial designs.

HUNGARY

Trademarks

1. Please explain the rights conferred on the proprietor of a Hungarian trademark and, in particular, whether and, if so, in which cases such a proprietor has to prove the existence of a likelihood of confusion where a third party uses, without his authorization, an identical or similar sign for identical or similar goods or services.
2. Does Hungarian trademark law provide means to act against the unauthorized use of a registered trademark for goods or services which are not similar to those in respect of which a trademark is registered? If yes, under what conditions?
3. Please explain whether trademarks can be assigned without the transfer of the business to which the trademark belongs.