



Intellectual Property: Status of IPOs in CEE

Due to the impact of COVID-19, several Intellectual Property Offices (IPOs) have announced adapted guidelines and information on the current status of proceedings and deadlines.

The following list aims to provide an updated overview on the current status and communication of IPOs in CEE (including the EUIPO, the EPO and the WIPO).

We are continuing to monitor the situation and will update the information when available.¹

Please note that the list is for guidance purposes only. In view of the rapidly changing developments, please be aware that the information provided might not be entirely up-to-date or comprehensive. The list is not designed to substitute and cannot substitute legal advice tailored to your needs. It is made available strictly on a non-reliance basis.

Date of last update: 3 July 2020

Country / IPO	IPO Measures		Links
<i>In alphabetical order.</i>			
Austria AT IPO	procedural law / deadlines	hearings, meetings / further comments	communication
	<p>Administrative deadlines still pending on 16 March have been interrupted until 30 April and started anew on 1 May; the AT IPO may have also set an appropriate new deadline (starting from 1 May) instead.</p> <p>Statutory deadlines (e.g. opposition or priority deadlines, except deadlines pursuant to the Patent Office Fees Act, thus for payment of annuity or renewal fees and deadlines pursuant to EU law) have been interrupted between 16 March and 30 April (i.e. this period is not included in the deadlines).</p> <p>Deadlines for appeals before the Higher Regional Court (OLG) Vienna and the Austrian Supreme Court (OGH) in proceedings originating from the AT IPO not lapsed by 22 March have been</p>	<p>The customer service centre physically reopened for its clients on 18 May.</p> <p>Hearings are in general still postponed until further notice; meetings (e.g. for consultation purposes) are held by appointment.</p> <p>Services and consultations are also rendered via video-calls (e.g. Skype).</p> <p>The mailbox located at the entrance of the AT IPO remains closed until further notice.</p> <p>It is still recommended for entries to be submitted electronically (see here for the AT IPO's online services) or, if not available (i.e. not feasible, appropriate or reasonable), by mail.</p>	<p>regulation by the president of the AT IPO</p> <p>Federal Act on Accompanying Measures for COVID-19 in the area of industrial property (part of 4th COVID-19 Act)</p> <p>Federal Act on Accompanying Measures for COVID-19 in the Judiciary (part of 2nd COVID-19 Act)</p>

¹ The updates are currently published on a bi-weekly basis.

	interrupted until 30 April and started anew on 1 May.		
Bosnia & Herzegovina B&H IPI	procedural law / deadlines	hearings, meetings / further comments	notice
	The B&H IPI is continuing its operations as usual, i.e. no deadline extension/suspension due to COVID-19 is or was implemented.	Since 22 May, the B&H IPI is conducting its operations as usual (in full operational power, i.e. full working time with all its employees).	
Bulgaria BG PTO status: 18 June 2020	procedural law / deadlines	hearings, meetings / further comments	communication amendment to the Act on the measures and actions during the announced state of emergency
	From 17 April, all deadlines in proceedings before the BG PTO (including those initially interrupted due to the impact of COVID-19) continued to run. All deadlines in proceedings before the BG PTO to expire between 13 March and until the state of emergency was lifted were extended by one month from the date of the lifting of the state of emergency (14 May), i.e. until 14 June. All trademark, industrial design, patent and other IPR registrations which expired during the state of emergency were extended by one month from the date of the lifting of the state of emergency (14 May), i.e. until 14 June. From 7 April (and until further notice), providing reports on express IPR inquiries are not possible.	No communication from the BG PTO.	
Croatia HR IPO status: 12 June 2020	procedural law / deadlines	hearings, meetings / further comments	communication
	Deadlines are not affected in relation to the procedures before the HR IPO.	As of 1 June, the HR IPO continues its regular operation and communication with clients in its official premises according to the regular operating time. All actions in the process of registering IP rights, including subsequent submissions, may be filed to the HR IPO using e-Application and via the website e-Citizen .	

<p>Czech Republic CZ IPO</p>	<p>procedural law / deadlines</p>	<p>hearings, meetings / further comments</p>	<p>communication</p> <p>opinion</p>
<p>EPO European Patent Office</p>	<p>procedural law / deadlines</p> <p>Deadlines expiring on or after 15 March were extended until 2 June.</p> <p>The extension of deadlines also applied to periods for paying fees, including renewal fees.</p> <p>As of 1 June, it is possible to pay renewal fees due on or after 15 March up until 31 August inclusive without being charged the additional fee under Rule 51 (2) European Patent Convention.</p> <p>As regards deadlines that expired before 15 March as well as deadlines expiring after 2 June, the EPO has facilitated the use of legal remedies for users located in areas still directly affected by disruptions due to COVID-19.</p>	<p>hearings, meetings / further comments</p> <p>Oral proceedings in opposition scheduled until 14 September are postponed until further notice, unless they are confirmed (i.a. also with the consent of the parties concerned) to take place by means of videoconferencing. Oral proceedings in examination will continue to be held by videoconference.</p> <p>As of 18 May, oral proceedings before the Boards of Appeal will be held – to a limited extent – at their premises in Haar, Germany. However, such hearings may also be conducted by videoconferencing technology if agreed by the parties concerned.</p> <p>Documents filed during telephone consultations and during interviews and oral proceedings held by videoconference must be filed by e-mail (i.e. the possibility of filing by fax during videoconferences was again removed).</p> <p>The EPO has postponed all EPO organised live events until 14 September.</p>	<p>communication</p> <p>notice of 27 May concerning the disruptions due to the COVID-19 outbreak</p> <p>notice concerning the extension of periods for the payment of fees</p> <p>decision of the Administrative Council of 28 May temporarily suspending the application of Rule 51 (2) EPC</p> <p>notice of 29 May concerning the temporary suspension of the application of Rule 51 (2) EPC with respect to an additional fee for the late payment of renewal fees for a patent application</p> <p>FAQ – disruptions due to the COVID-19 pandemic: remedies in case of non-observance of periods</p> <p>information of 21 May on oral proceedings before</p>

			<p>examination and opposition divisions as from 3 June</p> <p>decision of the president of the EPO dated 1 April concerning oral proceedings by videoconference before examining divisions</p> <p>decision of the president of the EPO dated 13 May concerning the filing of documents during telephone consultations and during interviews and oral proceedings held by videoconference</p> <p>communication of 15 May on oral proceeding before the Boards of Appeal – restrictions due to the coronavirus (COVID-19) pandemic and introduction of video-conferencing technology in appeal proceeding</p>
<p>EUIPO European Union Intellectual Property Office</p>	<p>procedural law / deadlines</p> <p>All pending deadlines expiring between 9 March and 30 April were extended until 18 May.</p> <p>As the exceptional extensions of deadlines came to an end on 18 May, a Guidance Note on i.a. the extension of deadlines and the suspension as well as continuation of proceedings has been published by the EUIPO.</p>	<p>hearings, meetings / further comments</p> <p>In general, hearings and meetings are still postponed until further notice.</p> <p>The EUIPO headquarters remain closed until further notice. Employees of the EUIPO are progressively moving back into the headquarters. The majority of staff however, is still continuing to telework.</p> <p>Under EUIPO's current plans everything should be back to "normal" by the beginning of September.</p>	<p>communication on the extension of time limits due to COVID-19 of 19 March</p> <p>decision no. EX-20-3 of the Executive Director of the EUIPO</p> <p>communication on information and guidance on further extension of deadlines of 29 April</p> <p>decision no. EX-20-4 of the Executive Director of the EUIPO</p>

			video update from the Executive Director of the EUIPO dated 12 June video update from the Executive Director of the EUIPO dated 1 July
Hungary HIPO	procedural law / deadlines	hearings, meetings / further comments	communication
	<p>The exceptional extension of deadlines came to an end on 2 June.</p> <p>Deadlines before the HIPO as well as judicial (court) deadlines are no longer extended.</p> <p>In the case of a missed deadline, the HIPO and the courts are supposed to rule on requests for <i>restitutio in integrum</i> (justification of the missed deadline) fairly.</p>	<p>Hearings at the HIPO are not affected.</p> <p>If justified by pandemic prevention measures, court hearings will be conducted by means of audio-visual technology, however, court hearings in person are no longer prohibited.</p> <p>In-person consultations with case handlers are possible only in exceptional cases upon previously set appointments.</p> <p>The access to case files in person is still suspended until further notice.</p> <p>Submission of documents in person is possible in a limited timeframe between 10 and 12 a.m. on working days.</p> <p>The customer service centre physically reopened for its clients, however, wearing face masks is recommended.</p> <p>Hence, e.g. voluntary registration of copyright is possible again.</p>	
Moldova AGEPI	procedural law / deadlines	hearings, meetings / further comments	communication on prolongation of the special activity regime at the AGEPI communication on deadlines related to procedures before the AGEPI communication on a special work regime during the state of emergency communication referring to the organisation of hearings before
	<p>All deadlines, including administrative deadlines, deadlines for submission in bilateral proceedings and statutory deadlines are applicable, taking into consideration however, the suspension of such for the period of the state of emergency (17 March – 15 May).</p>	<p>Applications, replies and other documents can be submitted at the AGEPI.</p> <p>Online submission services are available.</p> <p>Hearings before the AGEPI's Board of Appeal are held at the premises of the office and with the participation of the parties (the first hearing was scheduled for 2 June).</p>	

			the _____ AGEPI's Board of Appeal
Montenegro ME IPO	procedural law / deadlines	hearings, meetings / further comments	notice
	Deadlines are not extended.	As of 18 June, the special work regime/operation mode (receipt of submissions exclusively via mail and e-mail) was discontinued. From 22 June, the ME IPO continued to work directly with clients.	
North Macedonia MK IPO	procedural law / deadlines	hearings, meetings / further comments	communication decision on state of emergency
	As of 23 June, the state of emergency was lifted and all deadlines that were to expire during the state of emergency (which were interrupted for the duration of the state of emergency) continued to run.	As of 23 June, the MK IPO continued to work directly with clients.	
Poland PL IPO status: 20 May 2020	procedural law / deadlines	hearings, meetings / further comments	communication Anti-crisis act
	Between 8 March and 30 June, opposition periods of trademark applications as well as deadlines for the submission of translations (with regard to patents) to the PL IPO were not initiated. Already initiated opposition periods were interrupted. The periods started anew on 1 July. All deadlines that have been suspended were re-suspended from 24 May. However, all actions and measures taken are valid and effective.	Hearings before the PL IPO are taking place again starting from the second half of June. Hearings before adjudicating bodies are resumed. The point of direct meetings with the PL IPO's customers, the point of sale of publications and the cash register office are closed. Documents and other correspondence shall be submitted electronically. E-notifications about the expiry of the protection period will be sent to persons who have indicated electronic data (e-mail, SMS), while sending notifications in paper form is suspended.	

Romania SOIT status: 15 April 2020	procedural law / deadlines	hearings, meetings / further comments	notice _____ on affected deadlines
	Pending procedures before the SOIT are suspended for the entire period of the state of emergency (as declared by the President of Romania on 16 March for a 30-day period, extended for an additional 30 days as of 15 April). During the entire state of emergency, IP litigation cases (i.e. cancellations, revocations, infringements, appeals against the SOIT's decisions), excluding preliminary injunctions, were suspended.	All hearings are postponed.	Decree _____ no. 195/2020 by the President _____ of Romania _____ on 16 March Decision no. 53, 18 March Decree _____ no. 240/2020 by the President _____ of Romania _____ on 14 April
Serbia RS IPO	procedural law / deadlines	hearings, meetings / further comments	notice
	Deadlines that would have expired during the state of emergency were prolonged for an additional 30 days starting from the end of the state of emergency (i.e. as it expired on 6 May, 30 days from the respective date). The delivery of submissions in the administrative procedure and notification actions by the RS IPO (only applicable for non-extendable deadlines) to the parties during the state of emergency, is considered as delivered 15 days after the end of the state of emergency (i.e. as it expired on 6 May, 15 days from the respective date).	The general governmental recommendation is to still keep hearings/meetings (in person) to a minimum. Communication is possible via telephone or e-mail; all submissions and applications shall be filed by mail.	decree _____ on deadline application in the administrative proceedings during the state of emergency
Slovakia SK IPO status: 22 May 2020	procedural law / deadlines	hearings, meetings / further comments	communication
	No general impact on deadlines, but extensions of deadlines due to the situation might be granted.	In general, the SK IPO is continuing its operations as usual, but contact is only possible electronically or by mail. The SK IPO is closed for the public (no possibility of personal meeting or hearings) until further notice.	

<p>Slovenia SIPO</p>	<p>procedural law / deadlines</p>	<p>hearings, meetings / further comments</p>	<p>communication</p> <p>Decision establishing the termination of grounds for provisional measures for judicial, administrative and other public matters to cope with the spread of infectious disease SARS-CoV-2 (COVID-19)</p>
<p>Turkey TPTO status: 28 May 2020</p>	<p>procedural law / deadlines</p>	<p>hearings, meetings / further comments</p>	<p>communication</p> <p>information on IP deadlines of 8 April</p> <p>Presidential decree regarding the suspension of deadlines</p> <p>information on IP deadlines of 5 May</p>
<p>As of 15 June, all deadlines in legal proceedings before Turkish courts and the TPTO regarding IP rights started to run.</p> <p>This includes deadlines regarding the origination, exercise and termination of rights, other requests concerning IP rights as well as oppositions and appeals.</p> <p>The announcement on deadlines issued by the authority regarding IP rights includes the following measures:</p> <ul style="list-style-type: none"> • Deadlines that expired before 12 March were not extended and thus were not changed. • Deadlines initially expiring between 13 March and 27 March (including mentioned dates) were extended until 30 June and are now expired. • Deadlines initially expiring between 28 March and 15 June (including mentioned dates) were interrupted until 16 June (i.e. this period is not included in the deadlines). • Deadlines before 13 March and ending on or after 16 June are extended by adding 95 days as of the initial expiration date. • Deadlines initially starting between 13 March and 15 June (including mentioned dates) have started to run from 16 June. 	<p>As of 1 June, hearings can be held again.</p> <p>Safety measures apply when entering the SIPO.</p> <p>As of 15 June, hearings can be held again.</p> <p>The TPTO is open.</p>		

WIPO World Intellectual Property Organization	procedural law / deadlines	hearings, meetings / further comments	communication
	<p>In general, the WIPO is and was continuing its operations as usual.</p>	<p>The WIPO offices still remain physically closed for non-essential staff and third parties. Events and meetings were cancelled or postponed until the end of June and until further notice.</p> <p>The WIPO is not able to send or receive communications by mail until further notice.</p> <p>Users are strongly advised to use electronic communications as well as respective WIPO's e-services.</p> <p>The WIPO has released a COVID-19 IP Policy Tracker providing information on measures adopted by IP offices in member states worldwide</p>	notice on WIPO meetings and events
	<p>Additional information on trademarks:</p> <p>The WIPO provided special notices on remedies available against failure to meet a deadline (especially with respect to deadlines in case of closure of IPOs of contracting parties).</p> <p>A special notice further waives the submission of evidence required under Rule 5 of the Regulation under the Protocol relating to the Madrid Agreement concerning the International Registration of marks. This includes communication in which an applicant, a holder or an IPO remedies an irregularity in an international application or in a request of recording.</p> <p>The WIPO explicitly reminds applicants, holders and IPOs of the six-month limitation under Rule 5 of the Regulation that i.a. also applies to deadlines to pay any fee to the WIPO. The WIPO thus encourages to take prompt action by sending such communication of failure to meet a deadline, instruction (e.g. to debit from a current WIPO account) or payment no later than six months from the expiry of the deadline concerned.</p>	<p>Until further notice, the WIPO will only deliver electronic versions (in PDF) of certified copies and certificates of IRs and renewals, attestations and detailed certified extracts. Paper copies will be forwarded as soon as possible.</p> <p>Furthermore and until further notice, the WIPO has suspended the issuance of simple certified extracts, the legalization of documents and expedited services.</p>	communication notice no. 11/2020 on the suspension of postal communication with the International Bureau notice no. 12/2020 temporary measures concerning certified documents and extracts services notice no. 7/2020 on remedies available against failure to meet a time limit under the Madrid System and extension of time limits in case of closure notice no. 27/2020 against failure to meet a time limit due to the COVID 19 disease outbreak as a natural calamity

	Additional information on patents:		communication
	<p>The WIPO summarised a special information on possible remedies for deadlines and extensions.</p> <p>The WIPO is interpreting the COVID-19 pandemic as falling under the excuse of delay provision under PCT Rule 82quater.1. Thus, it will treat any PCT Rule 82quater requests that cite COVID-19-related issues favourably (i.a. no evidence that the virus affected the locality in which the interested party resides/is staying or has a place of business has to be provided).</p>	<p>Until further notice, the WIPO will only transmit documents and notifications electronically. Due to a reduction of scanning operations, users should communicate exclusively by electronic means (e.g. through ePCT).</p> <p>Furthermore, the WIPO delays the issuance of any notifications pursuant to PCT Rule 82quater.1 until 30 June.</p>	<p>communication on the effect of the COVID-19 pandemic on the processing of PCT applications at the International Bureau</p> <p>PCT newsletter no. 03/2020</p> <p>communication of 9 April on excuse of delays under PCT</p> <p>communication of 27 May on further COVID-19-related extension of RO/IB for considering PCT applications as withdrawn for failure to pay fees</p> <p>communication on the interpretation of the COVID-19 pandemic by the International Bureau</p> <p>PCT newsletter no. 04/2020</p> <p>PCT newsletter no. 05/2020</p> <p>PCT newsletter no. 06/2020</p>
	See detailed information provided by the WIPO on trademarks , patents , industrial designs , geographical indications as well as its Arbitration and Mediation Centre and on domain names .		

If you have any questions, please contact our legal experts across CEE:

Austria



Michael Woller
Partner
T: +43 1 534 37 50308
m.woller@schoenherr.eu

Moldova



Andrian Guzun
Associate
T: +373 22 240 300
a.guzun@schoenherr.eu

Bosnia, Montenegro, North Macedonia, Serbia



Andrea Radonjanin
Partner
T: +381 11 3202 600
a.radonjanin@schoenherr.eu

Poland



Paulina Klimek-Woźniak
Associate
T: +48 22 223 09 25
p.klimek-wozniak@schoenherr.eu

Bulgaria



Ventsislav Tomov
Attorney at Law
T: +359 2 93310 94
v.tomov@schoenherr.eu

Romania



Sorin Eduard Pavel
Attorney at Law
T: +40 21 319 67 90
e.pavel@schoenherr.eu

Croatia



Dina Vlahov Buhin*
Attorney at Law
Vlahov Buhin i Šourek d.o.o. in coop.
with Schoenherr
T: +385 1 4852 521
d.vlahov-buhin@schoenherr.eu

Slovakia



Michal Lučivjanský
Attorney at Law
T: +421 2 571 007 37
m.lucivjansky@schoenherr.eu

Czech Republic



Eva Bajáková
Attorney at Law
T: +420 225 996 500
e.bajakova@schoenherr.eu

Slovenia



Urša Picelj
Associate
T: +386 1 200 09 64
u.picelj@schoenherr.eu

Hungary



Márk Kovács
Associate
T: +36 1 8700 704
m.kovacs@schoenherr.eu

Turkey



Begüm Koçak
Associate
T: +90 212 230 17 00
b.kocak@schoenherr.eu