



## 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.<sup>1</sup>

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: 7 September 2020

Country / IPO	IPO Measures		Links
<i>In alphabetical order.</i>			
<b>Austria</b> AT IPO	<b>procedural law / deadlines</b>	<b>hearings, meetings / further comments</b>	<a href="#">communication</a>
	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.	The customer service centre physically reopened for its clients on 18 May. Hearings are in general still held on a minimal basis; meetings (e.g. for consultation purposes) are rendered by appointment.	<a href="#">regulation by the president of the AT IPO</a>
	Statutory deadlines (e.g. opposition or priority deadlines, except deadlines pursuant to the <a href="#">Patent Office Fees Act</a> , 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).	Services and consultations are also provided via video-calls (e.g. Skype). The mailbox located at the entrance of the AT IPO remains closed until further notice.	<a href="#">Federal Act on Accompanying Measures for COVID-19 in the area of industrial property (part of 4th COVID-19 Act)</a>
	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	It is still recommended for entries to be submitted electronically (see <a href="#">here</a> for the AT IPO's online services) or, if not available (i.e. not feasible, appropriate or reasonable), by mail.	<a href="#">Federal Act on Accompanying Measures for COVID-19 in the Judiciary (part of 2nd COVID-19 Act)</a>

<sup>1</sup> The updates are currently published on a monthly basis (next update: beginning of October).

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<b>Bosnia &amp; Herzegovina</b> B&H IPI	<b>procedural law / deadlines</b>	<b>hearings, meetings / further comments</b>	<a href="#">notice</a>
	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).	
<b>Bulgaria</b> BG PTO status: 18 June 2020	<b>procedural law / deadlines</b>	<b>hearings, meetings / further comments</b>	<a href="#">communication</a>
	<p>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.</p> <p>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.</p> <p>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.</p> <p>From 7 April (and until further notice), providing reports on express IPR inquiries are not possible.</p>	No communication from the BG PTO.	<a href="#">amendment to the Act on the measures and actions during the announced state of emergency</a>
<b>Croatia</b> HR IPO status: 12 June 2020	<b>procedural law / deadlines</b>	<b>hearings, meetings / further comments</b>	<a href="#">communication</a>
	Deadlines are not affected in relation to the procedures before the HR IPO.	<p>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.</p> <p>All actions in the process of registering IP rights, including subsequent submissions, may be filed to the HR IPO using <a href="#">e-Application</a> and via the website <a href="#">e-Citizen</a>.</p>	

<p><b>Czech Republic</b> CZ IPO</p>	<p><b>procedural law / deadlines</b></p>	<p><b>hearings, meetings / further comments</b></p>	<p><a href="#">communication opinion</a></p>
<p><b>EPO</b> European Patent Office</p>	<p><b>procedural law / deadlines</b></p>	<p><b>hearings, meetings / further comments</b></p>	<p><a href="#">communication</a></p> <p><a href="#">notice of 27 May concerning the disruptions due to the COVID-19 outbreak</a></p> <p><a href="#">notice concerning the extension of periods for the payment of fees</a></p> <p><a href="#">decision of the Administrative Council of 28 May temporarily suspending the application of Rule 51 (2) EPC</a></p> <p><a href="#">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</a></p> <p><a href="#">FAQ - disruptions due to the COVID-19 pandemic: remedies in case of non-observance of periods</a></p> <p><a href="#">information of 29 July on oral proceedings before</a></p>
<p>On 12 March, the government declared a state of emergency that ended on 17 May. Deadlines were not extended during the state of emergency, but failure to act can be excused, unless expressly excluded by law.</p> <p>In proceedings before the CZ IPO, waivers are often explicitly excluded. If the participant in proceedings has a data mailbox for electronic communication with public authorities, the state of emergency is not a sufficient reason for a waiver without further evidence.</p>	<p>Contact is preferred in writing, by electronic means or via telephone.</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 <a href="#">Rule 51 (2) European Patent Convention</a>.</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>Oral proceedings in opposition scheduled until 31 December 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. The EPO intends to maintain oral proceedings in opposition scheduled to take place on the premises of the EPO on or after 4 January 2021 (1 January being a public holiday i.a. in Germany and The Netherlands followed by a weekend).</p> <p>Oral proceedings in examination will continue to be held by videoconference.</p> <p>As of 18 May, oral proceedings before the Boards of Appeal are held – to a limited extent – at their premises in Haar as well as (due to a limited number of rooms suitable for physical distancing in the premises in Haar) in the Isar building in Munich, Germany. However, such hearings may also be conducted by videoconferencing technology if agreed by the parties concerned. Specific regime for parties unable to attend oral proceedings and restrictions as to physical presence are in place.</p> <p>Documents filed during telephone consultations and during interviews and oral proceedings held by videoconference must be filed by e-mail</p>

		<p>(i.e. the possibility of filing by fax during videoconferences was again removed).</p> <p>EPO organised live events scheduled until 31 December are expected to take place online, unless indicated otherwise.</p>	<p><a href="#">examination and opposition divisions as from 15 September</a></p> <p><a href="#">decision of the president of the EPO dated 1 April concerning oral proceedings by videoconference before examining divisions</a></p> <p><a href="#">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</a></p> <p><a href="#">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</a></p> <p><a href="#">communication of 29 July on oral proceedings before the Boards of Appeal – reassessment of the measures adopted due to the coronavirus (COVID-19) pandemic</a></p>
<p><b>EUIPO</b> European Union Intellectual Property Office</p>	<p><b>procedural law / deadlines</b></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 <a href="#">Guidance Note</a> on i.a. the extension of deadlines and the suspension as well as</p>	<p><b>hearings, meetings / further comments</b></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</p>	<p><a href="#">communication on the extension of time limits due to COVID-19 of 19 March</a></p> <p><a href="#">decision no. EX-20-3 of the Executive Director of the EUIPO</a></p>

	<p>continuation of proceedings has been published by the EUIPO.</p>	<p>staff however, is still continuing to telework.</p> <p>Under EUIPO's current plans everything should be back to "normal" (i.e. with a physical return of all employees to the headquarters) by the beginning of September.</p>	<p><a href="#">communication on information and guidance on further extension of deadlines of 29 April</a></p> <p><a href="#">decision no. EX-20-4 of the Executive Director of the EUIPO</a></p> <p><a href="#">video update from the Executive Director of the EUIPO dated 12 June</a></p> <p><a href="#">video update from the Executive Director of the EUIPO dated 1 July</a></p> <p><a href="#">video update from the Executive Director of the EUIPO dated 24 July</a></p>
<p><b>Hungary</b> HIPO</p>	<p><b>procedural law / deadlines</b></p> <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><b>hearings, meetings / further comments</b></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>	<p><a href="#">communication</a></p>

<b>Moldova</b> AGEPI	<b>procedural law / deadlines</b>	<b>hearings, meetings / further comments</b>	<a href="#">communication on prolongation of the special activity regime at the AGEPI</a>
	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).	Applications, replies and other documents can be submitted at the AGEPI.  Online submission services are available.  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).	<a href="#">communication on deadlines related to procedures before the AGEPI</a>  <a href="#">communication on a special work regime during the state of emergency</a>  <a href="#">communication referring to the organisation of hearings before the AGEPI's Board of Appeal</a>
<b>Montenegro</b> ME IPO	<b>procedural law / deadlines</b>	<b>hearings, meetings / further comments</b>	<a href="#">notice</a>
	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.  Since 22 June, the ME IPO continues to work directly with clients.	
<b>North Macedonia</b> MK IPO	<b>procedural law / deadlines</b>	<b>hearings, meetings / further comments</b>	<a href="#">communication</a>
	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.	<a href="#">decision on state of emergency</a>
<b>Poland</b> PL IPO status: 20 May 2020	<b>procedural law / deadlines</b>	<b>hearings, meetings / further comments</b>	<a href="#">communication</a>
	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.  Yet, 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.	<a href="#">Anti-crisis act</a>

		E-notifications regarding the expiry of the protection period are sent to persons who have indicated electronic data (e-mail, SMS), while sending notifications in paper form is suspended.	
<b>Romania</b> <b>SOIT</b> status: 15 April 2020	<b>procedural law / deadlines</b>	<b>hearings, meetings / further comments</b>	<a href="#">notice</a> <a href="#">on affected deadlines</a>  <a href="#">Decree no. 195/2020 by the President of Romania on 16 March</a>  <a href="#">Decision no. 53, 18 March</a>  <a href="#">Decree no. 240/2020 by the President of Romania on 14 April</a>
	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.	
<b>Serbia</b> <b>RS IPO</b>	<b>procedural law / deadlines</b>	<b>hearings, meetings / further comments</b>	<a href="#">notice</a>  <a href="#">decree on deadline application in the administrative proceedings during the state of emergency</a>
	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.	
<b>Slovakia</b> <b>SK IPO</b> status: 22 May 2020	<b>procedural law / deadlines</b>	<b>hearings, meetings / further comments</b>	<a href="#">communication</a>
	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><b>Slovenia</b> SIPO</p>	<p><b>procedural law / deadlines</b></p>	<p><b>hearings, meetings / further comments</b></p>	<p><a href="#">communication</a></p> <p><a href="#">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)</a></p>
<p><b>Turkey</b> TPTO status: 2 July 2020</p>	<p><b>procedural law / deadlines</b></p>	<p><b>hearings, meetings / further comments</b></p>	<p><a href="#">communication</a></p> <p><a href="#">information on IP deadlines of 8 April</a></p> <p><a href="#">Presidential decree regarding the suspension of deadlines</a></p> <p><a href="#">information on IP deadlines of 5 May</a></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"> <li>• Deadlines that expired before 12 March were not extended and thus were not changed.</li> <li>• Deadlines initially expiring between 13 March and 27 March (including mentioned dates) were extended until 30 June and are now expired.</li> <li>• 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).</li> <li>• Deadlines before 13 March and ending on or after 16 June are extended by adding 95 days as of the initial expiration date.</li> <li>• Deadlines initially starting between 13 March and 15 June (including mentioned dates) have started to run from 16 June.</li> </ul>	<p>The TPTO is open.</p> <p>As of 15 June, hearings can be held again.</p>		



<b>WIPO</b> World Intellectual Property Organization	<b>procedural law / deadlines</b>	<b>hearings, meetings / further comments</b>	<a href="#">communication</a>
	<p>In general, the WIPO is and was continuing its operations as usual.</p>	<p>The WIPO offices are still physically closed for non-essential staff and third parties. Events and meetings are held again, but i.a. in a hybrid format (with limited physical attendance and online participation).</p> <p>The WIPO has resumed most of its communications by mail. Yet, users are still advised to use electronic communications as well as respective WIPO e-services.</p> <p>The WIPO has released a <a href="#">COVID-19 IP Policy Tracker</a> providing information on measures adopted by IPOs in member states worldwide</p>	<a href="#">notice on WIPO meetings and events</a>
	Additional information on trademarks:		<a href="#">communication</a>
	<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 <a href="#">Rule 5 of the Regulation</a> 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>The WIPO has resumed most of its postal mail-based services.</p> <p>In general, the WIPO still advises for communications under the Madrid System to WIPO to be sent by electronic means (e.g. via <a href="#">Madrid System e-Services</a> or <a href="#">Contact Madrid</a>).</p> <p>As of 13 July, the WIPO continues to deliver certified copies of certificates of international registrations and renewals, attestations, detailed and simple certified extracts, legalization of documents and expedited services.</p>	<a href="#">notice no. 11/2020 on the suspension of postal communication with the International Bureau</a>  <a href="#">notice no. 12/2020 temporary measures concerning certified documents and extracts services</a>  <a href="#">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</a>  <a href="#">notice no. 27/2020 against failure to meet a time limit due to the COVID 19 disease outbreak as a natural calamity</a>  <a href="#">notice no. 52/2020 on measures concerning certified</a>

			<a href="#">documents and extracts services</a>
			<a href="#">communication on COVID-19 Update: Madrid System</a>
	Additional information on patents:		<a href="#">communication</a>
	<p>The WIPO is generally interpreting the COVID-19 pandemic as falling under the excuse of delay provision under PCT <a href="#">Rule 82quater.1</a>. Thus, it shall treat any PCT <a href="#">Rule 82quater</a> 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>Furthermore, on 1 July, PCT <a href="#">Rule 82quater.2</a> concerning the excuse of delay in meeting certain deadlines due to unavailability of electronic means of communication at an office or organisation entered into force.</p>	<p>Until further notice, the WIPO continues to transmit PCT documents and notifications only electronically. Due to a reduction of scanning operations, PCT users should communicate exclusively by electronic means (e.g. through <a href="#">ePCT</a>).</p> <p>While continuing to apply PCT <a href="#">Rule 82quater.1</a> to excuse delays in meeting certain PCT deadlines when requested, the WIPO restarted the issuance of notifications (Form <a href="#">PCT/RO/117</a>) as of 1 July. Nevertheless, the WIPO continues to waive the payment of any applicable late payment fees under PCT <a href="#">Rule 16bis2</a> until further notice.</p>	<a href="#">communication on the effect of the COVID-19 pandemic on the processing of PCT applications at the International Bureau</a>  <a href="#">PCT newsletter no. 03/2020</a>  <a href="#">communication of 9 April on excuse of delays under PCT</a>  <a href="#">communication of 27 May on further COVID-19-related extension of RO/IB for considering PCT applications as withdrawn for failure to pay fees</a>  <a href="#">communication of 3 July on the end of COVID-19-related RO/IB extended period for considering PCT applications as withdrawn for failure to pay fees</a>  <a href="#">PCT newsletter no. 04/2020</a>  <a href="#">PCT newsletter no. 05/2020</a>  <a href="#">PCT newsletter no. 06/2020</a>  <a href="#">PCT newsletter no. 07-08/2020</a>  <a href="#">PCT Yearly Review 2020</a>
<p>See detailed information provided by the WIPO on <a href="#">trademarks</a>, <a href="#">patents</a>, <a href="#">industrial designs</a>, <a href="#">geographical indications</a> as well as its <a href="#">Arbitration and Mediation Centre</a> and on <a href="#">domain names</a>.</p>			

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