

**Decree 18/2006. (IV. 12.) IM of the Minister of Justice
on the detailed rules of the voluntary register of works
kept at the Hungarian Patent Office**

By virtue of the authorization under Article 112(5) of Act LXXVI of 1999 on Copyright (hereinafter: "Copyright Act"), and under Article 67(2) of Act XCIII of 1990 on the fees, I order – in concert with the President of the Hungarian Patent Office, and with respect to fees for administrative services with the Minister of Finance, respectively – as follows:

Article 1

The entry of works or performance governed by the Copyright Act (hereinafter together: "works") into the voluntary register of works [Article 94/B(2) of the Copyright Act] may be requested by the author or the holder of rights related to copyright (hereinafter together: "author") from the Hungarian Patent Office.

Article 2

(1) The request for entry into the voluntary register of works shall be filed personally or through a representative, on the form of the Hungarian Patent Office in conformity with *Annex 1* to this Decree.

(2) The request shall contain the original or a copy of the work (hereinafter: "copy"). The copy shall be of a size to admit of placement in an envelope of standard A4 size. If the copy is of a larger size, a carrier of not more than A4 size (in particular a photo, electronic data carrier, magnetic tape), durably fixing the work and suitable for identifying it, shall be enclosed as copy.

Article 3

(1) For the request HUF 5000 as fee for administrative services shall be payable, which shall be an income of the Hungarian Patent Office.

(2) The fee referred to in paragraph (1) shall be payable, simultaneously with filing the request, either in cash at the cashier's office of the Hungarian Patent Office or by a payment order given by credit card through a POS terminal to the account No. 10032000-01731842-00000000 of the Hungarian Patent Office kept with the Hungarian State Treasury.

(3) The fee referred to in paragraph (1) shall not be subject to any exemption or allowances.

(4) With respect to the treatment, accounting, record-keeping and refund of the fee referred to in paragraph (1), the legal provisions on the specific characteristics of

the requirement of producing financial statements and of book-keeping relating to budgetary organisations shall apply.

Article 4

(1) The Hungarian Patent Office shall immediately comply with requests meeting the requirements referred to in Articles 2 and 3, and shall issue a certificate in conformity with *Annex 2* to this Decree. The copy of the work filed by the author shall be attached to the certificate in a closed envelope bearing the seal of the Hungarian Patent Office and the registration number of the certificate.

(2) The certificate and the copy in the closed envelope attached in accordance with paragraph (1) can only be used for the purposes of the proof referred to in Article 94/B(2) of the Copyright Act if the seal and the envelope are free of damages.

Article 5

(1) The author may request withdrawal of the certificate at any time, by using the form according to *Annex 3* to this Decree.

(2) The request for withdrawal of the certificate shall be filed in two copies personally or through a representative, to which – unless it is impossible – the certificate under Article 4(1) and the attached envelope containing the copy shall be enclosed.

(3) The request for withdrawal of the certificate shall be free of charge.

(4) The Hungarian Patent Office shall immediately comply with requests meeting the requirements referred to in paragraphs (1) and (2) and shall cancel the certificate, then shall hand over the copy of the request containing the withdrawing statement to the author.

Article 6

(1) If a final court ruling establishes the person of the author, the author may request at any time cancellation of the person previously entered as author from the voluntary register of works, on the form according to *Annex 4* to this Decree.

(2) The request for cancellation from the voluntary register of works shall be filed in two copies personally or through a representative. The final court ruling shall be attached to the request.

(3) The request for cancellation from the voluntary register of works shall be free of charge.

(4) The Hungarian Patent Office shall immediately comply with requests meeting the requirements referred to in paragraphs (1) and (2) and shall cancel the person entered as author from the register of works, then shall hand over the copy of the request containing the statement concerning cancellation to the author.

(5) The Hungarian Patent Office shall also communicate its ruling on cancellation to the person previously entered as author.

Article 7

If the author agrees to it in writing, the Hungarian Patent Office may make the details submitted on the form referred to in Article 2(1) available to the public and may create a database from the details for the purpose of informing the public.

Article 8

In any other matters pertaining to the procedures of the Hungarian Patent Office concerning the voluntary register of works, the provisions of Act CXL of 2004 on the general rules of the procedures and services of administrative authorities shall apply.

Article 9

This Decree shall enter into force on 15 April 2006.

Registration number:

REQUEST

for entry into the voluntary register of works kept at the Hungarian Patent Office

1. Name and address of author(s):
2. Name and address (place of business) of the representative*:
3. Title of the work to be registered:
4. Genre of the work to be registered:
5. Further details for the individual identification of the work**:
6. Carrier of the work to be registered:
7. Other announcements**:
8. Enclosures: power of attorney
 copy
 other:

Done in Budapest, on day month year

.....
signature of author(s) or representative

I agree to the Hungarian Patent Office's making the details under 1 to 7 available to the public and creating a database from the details for the purpose of informing the public.

Done in Budapest, on day month year

.....
signature of author(s) or representative

- * to be filled in if there is a representative
- ** to be filled in if necessary

Annex 2 to Decree 18/2006. (IV. 12.) IM



Hungarian Patent Office

Garibaldi u. 2.
H-1054 Budapest

Administrator:
Registration number:

CERTIFICATE

I certify that XY (name, address) as requester(s) had the enclosed document entered into the register as his (their) own work/performance/sound recording/film/radio programme/television programme/database.

I issued this certificate in compliance with Decree 18/2006. (IV. 12.) IM of the Minister of Justice on the detailed rules of the voluntary register of works kept at the Hungarian Patent Office.

Done in Budapest, on day month year

.....
name and position of issuing person

REQUEST

for withdrawal of a certificate on entry into the voluntary register of works kept at the Hungarian Patent Office

1. Name and address of author(s):
2. Name and address (place of business) of the representative:
3. Title of the work registered:
4. Genre of the work registered:
5. Registration number of the work:
6. Enclosures: power of attorney
 copy
 other:

I, the undersigned (author's name) request the Hungarian Patent Office to withdraw the certificate issued about the work registered under the registration number indicated in point 5, with effect from day month year.

Done in Budapest, on day month year

.....
signature of author(s) or representative

To be filled in by the Hungarian Patent Office

I withdrew the certificate with effect from day month year.

Done in Budapest, on day month year

.....
name and position of issuing person

REQUEST

**for cancellation from the voluntary register of works
kept at the Hungarian Patent Office**

1. Name and address of author(s):
2. Name and address (place of business) of the representative:
3. Name of person indicated in the register as author:
4. Title of the work registered:
5. Genre of the work registered:
6. Registration number of the work:
7. Enclosures: power of attorney
 final court ruling
 other:

I, the undersigned (author's name) request the Hungarian Patent Office to cancel the entry registered under the registration number indicated in point 6, with effect from day month year.

Done in Budapest, on day month year

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signature of author(s) or representative