



Gamification Code:

RENT



Developments & case-law updates from the EUIPO BoA and the Hungarian IPO





Eleni Kokkini

PPT Legal





Eszter Kovács

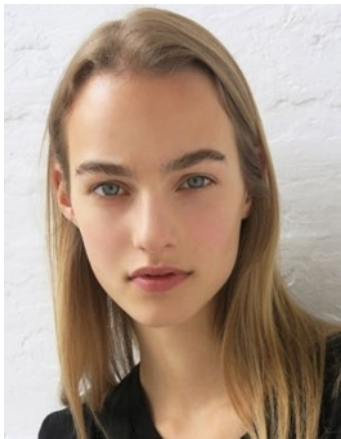
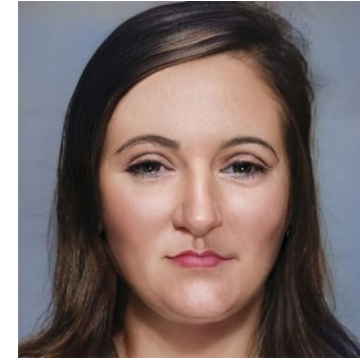
Hungarian IPO



Assessment of distinctive character of signs consisting solely of
photorealistic representation of a portrait of a person in
trademark law
(C-3/26 Dr. Czirják-Nagy Law Firm, Hungarian request for
preliminary ruling)

Marks consisting a person's face – What do you see in the image: a person's photograph or a trademark?

- A portrait mark is a sign *that solely consist of a photorealistic portrait of a person and does not contain any other distinctive element*
- For example: portraits of models, portrait representation of historical and other well known persons, facial images of famous athletes



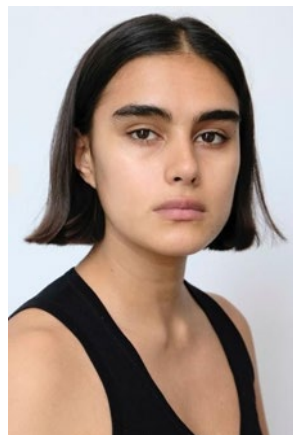
- The trademark law question:
Can signs of these kind be protected as trademarks?
 - Does a sign like that posses **distinctive character** as defined in trademark law?
 - In other words: does it fulfil its essential function as an indicator of origin enabling the goods and services for which the protection is sought to be distinguished from the goods and services of other undertakings (from the perspective of consumers)

Current relevance of the issue

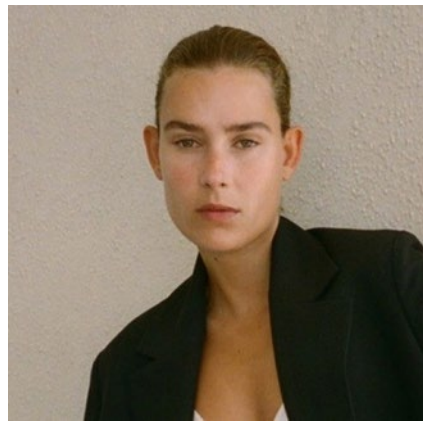
- In recent years, the number of trademark applications for such signs has been steadily increasing, both at the EUIPO and at national IP offices
- This tendency is based on the increasing threat by AI generated contents and deepfakes. The applicants seek through the registration of their portrait to protect their image rights against the unauthorized use of their images in digitally manipulated contents
- The issue whether photorealistic portraits are capable of obtaining trademark protection is of considerable legal and practical importance



EUTM 17358458



EUTM 18640603



BX 1475179



FR 4894779



D 302 022 008 170

Different approaches of the EUIPO and the BoA

In recent years, a considerable number of European trade mark applications have been filed for signs consisting of a photorealistic representation of a human face, typically in the form of a passport-style portrait and without any accompanying name, logo, stylized background or other graphic elements. Most of these applications have concerned photographs of models.



EUTM application
014711907

- At first instance, the EUIPO consistently refused these applications on the ground that the signs lacked inherent distinctiveness, often proceeding from the general assumption that photographs depicting human faces are widely used for advertising purposes and therefore do not perform the essential function of a trade mark.
- The Boards of Appeal (BoA), however, regularly set aside those decisions and allowed the applications to proceed to registration. **The BoA's practice demonstrates a clear trend toward accepting the registrability of such portrait marks.** In all cases, the BoA concluded that the portrait mark at issue possessed sufficient distinctive character to be eligible for registration as a European Union trade mark.
- *The BoA referred one portrait-mark case to the Grand Board of Appeal, no decision has been issued in this case (GBoA), (Case R 50/2024-G, Johannes Hendricus Maria Smit/EUIPO)*

The factual backgrounds of the Hungarian case



M2500400

The applicant (Dr. Czirják-Nagy Law Firm) applied for the trade mark registration of a photorealistic portrait from HIPO on February 12, 2025. for the following goods and services:

- **Class 9:** „downloadable publications; media content; downloadable electronic publications; downloadable electronic brochures; video recordings; audio recordings; audiovisual recordings; electronic magazines; e-books; audio books; interactive electronic publications; digital books downloadable from the internet; downloadable media; downloadable educational media; recordings (sound recordings); downloadable podcasts; downloadable educational course materials; multi-media recordings; podcasts; video films; computer software”
- **Class 45:** „licensing rights for the use of photographs” (legal services); legal aid services (legal services); legal services; licensing services; mediation services; legal aid services”

The decision of HIPO:

- On the basis of Article 2(2)(c) of the Hungarian Trademark Law, **HIPO refused the trade mark application in respect of 'computer software' in Class 9 and all services in Class 45** and it concluded that the application met the requirements for publication for all other goods in Class 9 listed above.
- HIPO considered that the sign for which registration was sought, consisting merely of a portrait photograph of a person, was incapable, in respect of the goods and services at issue, of distinguishing those goods and services according to their commercial origin.
- At the same time, the HIPO acknowledged that, in certain market segments, consumers are accustomed to perceiving a person's face as conveying commercial information in itself and, consequently, may associate it with the commercial origin of the goods or services.
- The HIPO also noted that the person depicted in the application is herself a digital content creator who publishes educational and marketing-related content across various platforms. Accordingly, it agreed with the applicant's view that, within this particular market, consumers may perceive a photograph of a person as performing the function of indicating the commercial origin of goods or services.

Reasoning of the applicant

- In its request for reviewing the decision of HIPO, the applicant asked the Budapest-Capital Metropolitan Court to amend the contested decision by setting aside the refusal in part and ordering the registration of the sign as a trade mark in respect of the goods and services for which the HIPO had rejected the application.
- The applicant submits, inter alia, that in the modern marketplace the trade mark function is no longer performed exclusively by words and figurative elements. In the case of influencers, consumers frequently identify the commercial origin of goods and services through the influencer's face itself, which therefore operates as a source identifier and possesses distinctive character. Consumers can immediately associate a particular face with the services offered by the influencer concerned. Consequently, an influencer's face may nowadays be capable of fulfilling the essential function of a trade mark, namely indicating the commercial origin of the relevant goods or services.

Questions referred to preliminary ruling

The court considered that Article 2(2)(c) of the Hungarian Trademark Law relied on as the legal basis for the refusal of registration, is the national provision by which the Hungarian legislation transposed Article 4(1)(b) of the Directive into national trade mark law – *„a trade mark shall not be registered or, if registered, shall be liable to be declared invalid, if trade mark devoid of any distinctive character.*

The Budapest-Capital Regional Court referred the following questions to the CJEU for a preliminary ruling:

1. Should Article 4(1)(b) of Directive (EU) 2015/2436 be interpreted as meaning that, by virtue of that provision, a sign such as that at issue in the main proceedings, which consists solely of a photorealistic representation of a portrait of a person and contains no other distinctive elements, cannot be registered as a trade mark?
2. In assessing the distinctive character of the portrait described above, should importance be attached to the public activity of the person depicted and the possible renown and reputation conferred on him or her by that activity?
3. If the answer to the previous question is in the affirmative, can the public activity, renown or reputation of the represented person serve as a basis for trade mark registration of the sign representing that person in respect of any goods or services, or only in respect of goods or services that have been created or provided by the represented person or with the personal involvement of the represented person?

Key issues and positions

? Does the fact that a human face, or its photorealistic depiction, is inherently unique and capable of identifying the person portrayed automatically mean that such portrait signs are capable of possessing the distinctive character required under Article 4(1)(b) of the Directive?

? Although every human face is unique, such uniqueness alone is insufficient to confer the distinctive character required under Article 4(1)(b) of the Directive.

? The relevant public may perceive the sign solely as a representation of a person used to promote the goods or services, rather than as a trade mark identifying their commercial origin.

? To what extent can the fame of a well-known individual contribute to the reputation of a trade mark

- According to HIPO, the decisive question is not whether a photograph of a person is, in itself, capable of distinguishing one individual from another, but whether such a sign is capable of distinguishing goods or services in the trade mark law sense, that is, whether it is capable of fulfilling the essential function of a trade mark as an indicator of commercial origin.
- A complex, case-by-case assessment is required, taking into account all the relevant circumstances and factors of the particular case, including the market sector concerned, the goods and services covered by the application, and the perception of the relevant consumers.

The significance of the case

- National authorities are facing a steadily increasing number of trade mark applications consisting exclusively of a photorealistic portrait of a person, without any additional element capable of distinguishing the sign from others → Since the request for a preliminary ruling was made, the HIPO has received a growing number of similar applications.
- The assessment of the trade mark distinctiveness of such applications may vary across the Member States.
- The EUIPO and the BoA does not follow a consistent approach when assessing the distinctiveness of portrait marks.
- The treatment of such signs under EU trade mark law has not yet been clarified in the case-law of the CJEU → **Guidance from the CJEU is therefore necessary**
- The case is expected to play an important role in ensuring the uniform application of EU trade mark law throughout the European Union.

Trademark applications filed with HIPO



M2602737



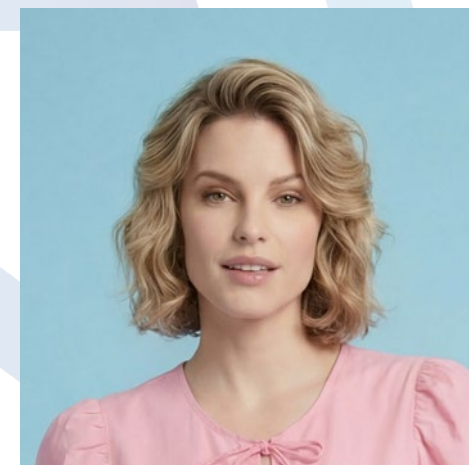
M2600509



M2601020



M2601784



M2601390

The CJEU's answers are unlikely to bring the debate to a close...

Beyond the legal issues raised in the main proceedings, the phenomenon of portrait marks may raise several additional questions in EU and national trade mark law, including:

- What are the implications if the appearance of the person depicted in the trade mark changes over time?
- How should AI-generated portraits that do not depict a real person be assessed under trade mark law?
- ~~Descriptive Character? (Acquired Distinctiveness)~~
- How should likelihood of confusion be assessed in relation to portrait marks?
- Can a face trademark be transferred independently of the person whose face it depicts?



Thank you for your attention!

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Nicolas Vigneron

EUIPO Boards of Appeal

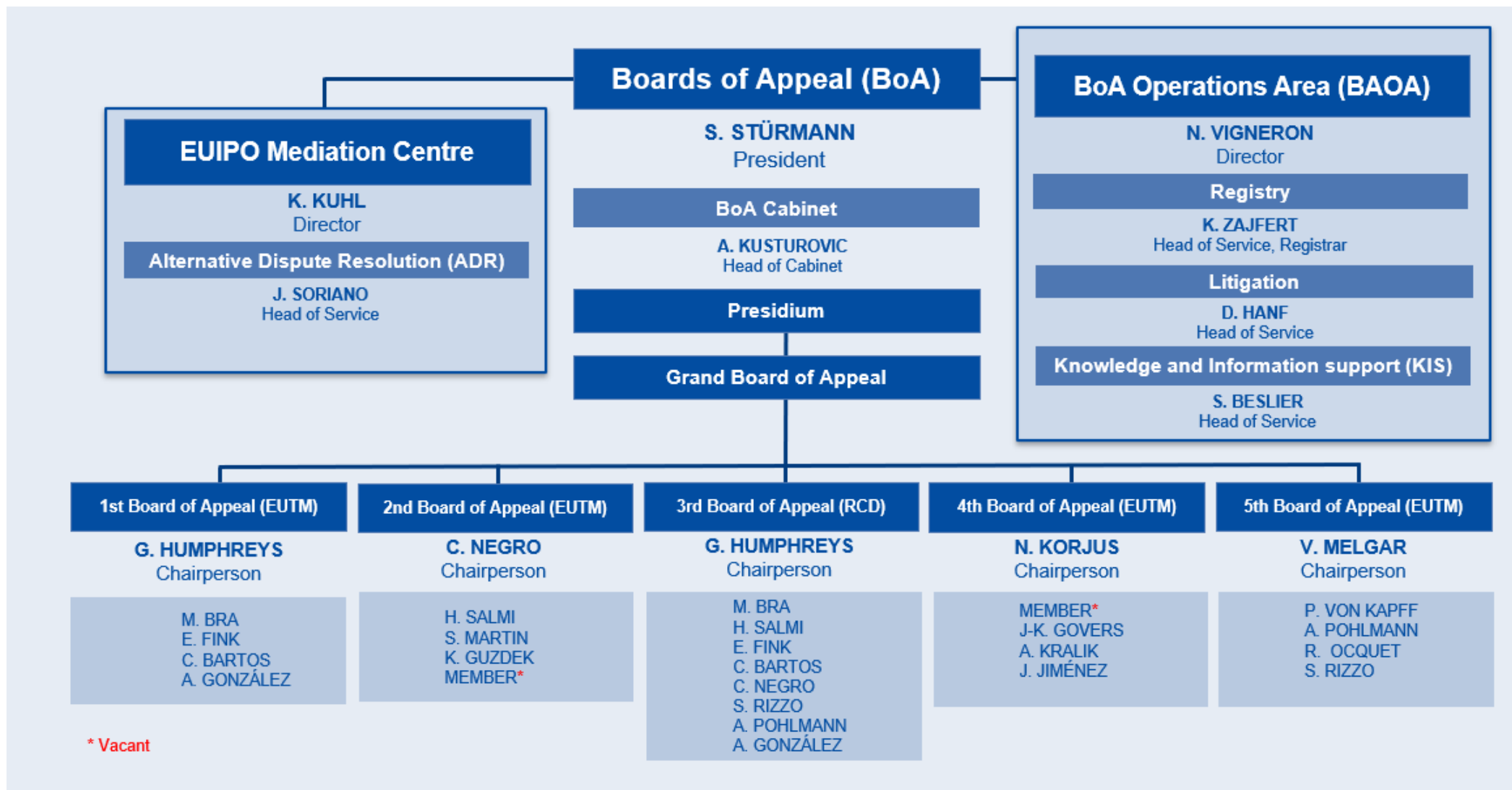


Boards of Appeal Quality Initiatives

Nicolas Vigneron
Director, Boards of Appeal

FICPI 23rd Open Forum
18 September 2026

Boards of Appeal - Organisation Chart



Appeals filed in 2026

Appeals filed

Total: 1507

- 1.2%

EX PARTE

368 (24.4%)

INTER PARTES

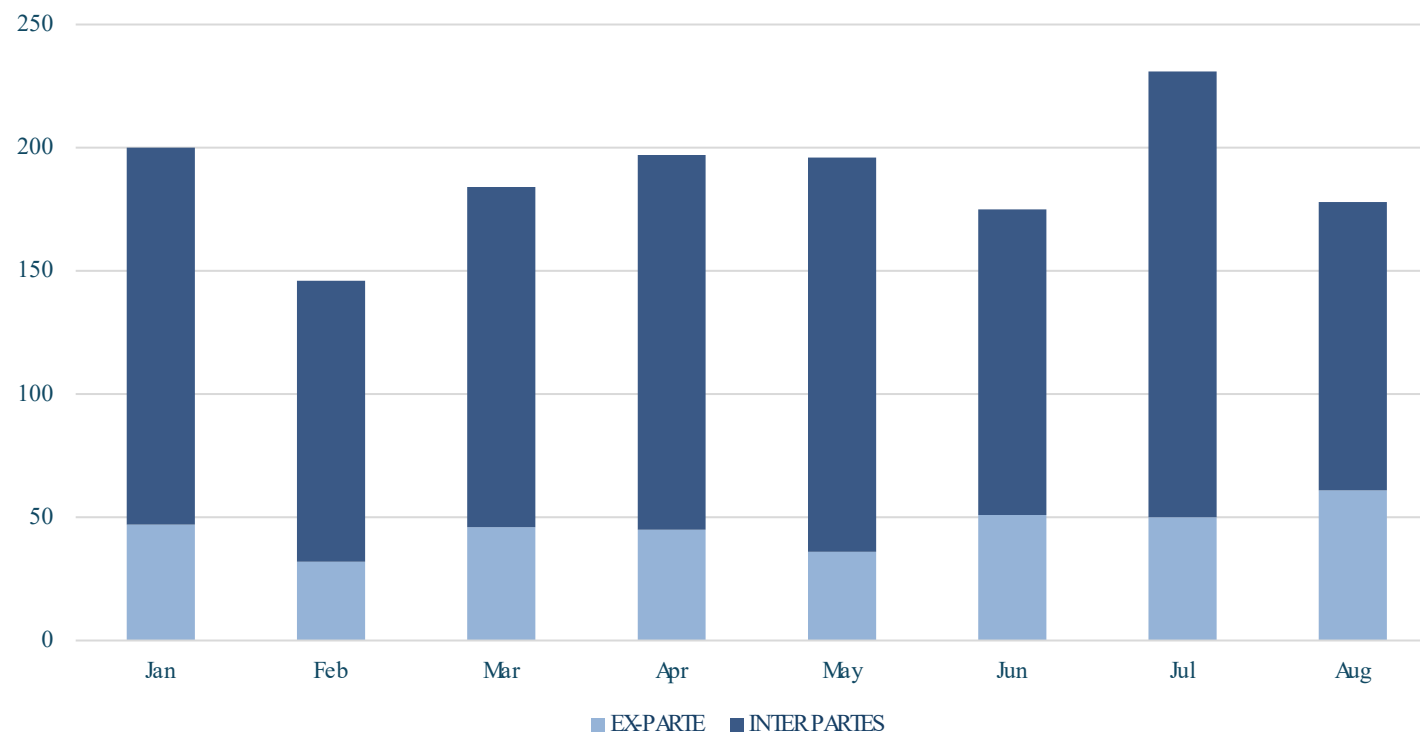
1139 (75.6%)

EUTM

Total: 1430

EUD

Total: 77



Decisions notified in 2026

Decisions notified

Total **1514**

EX PARTE

331 (21.9%)

INTER PARTES

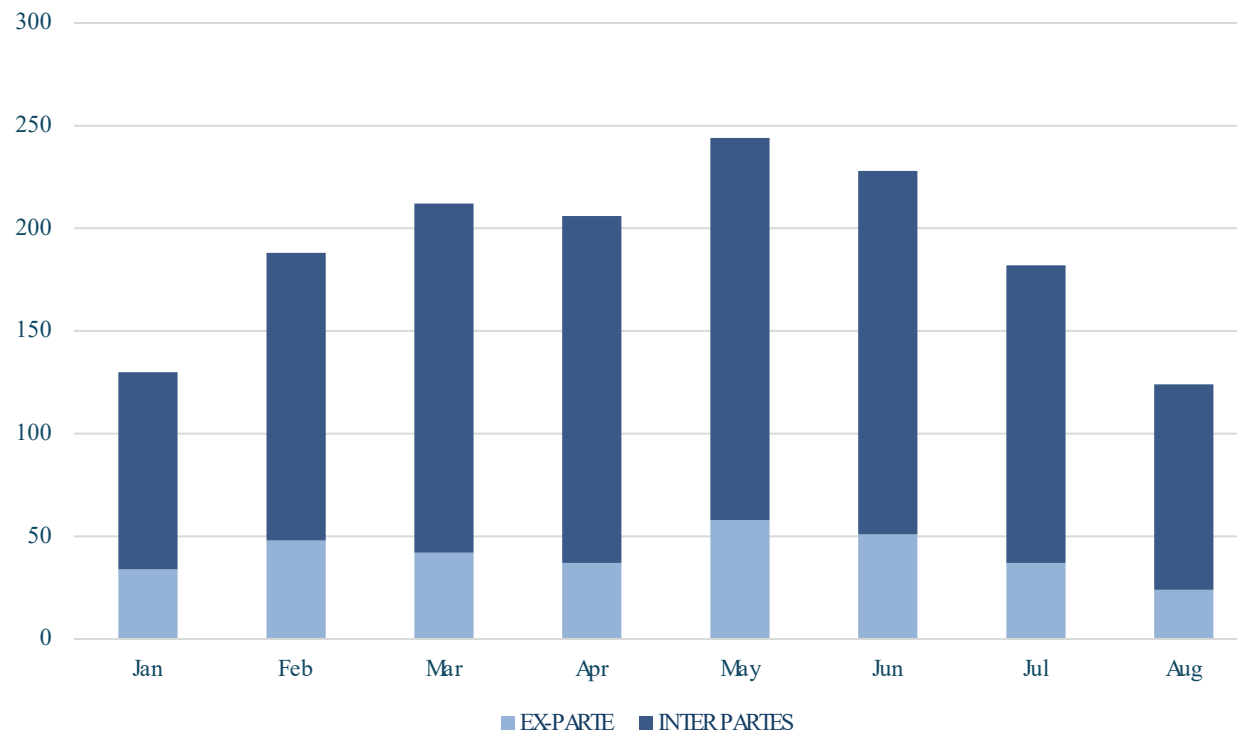
1183 (78.1%)

EUTM

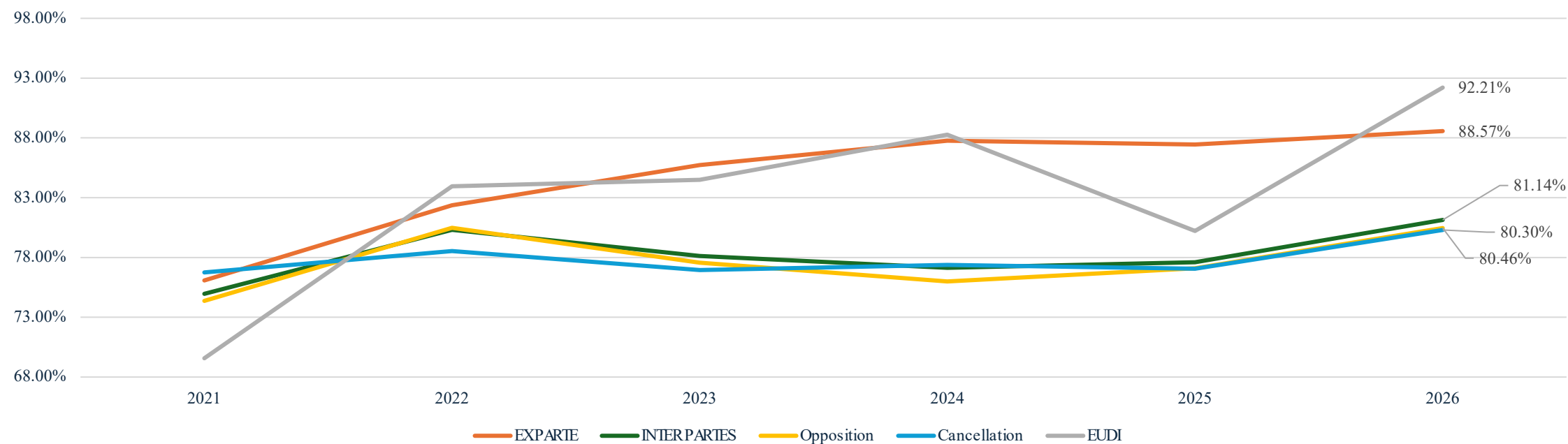
Total: **1437**

EUD

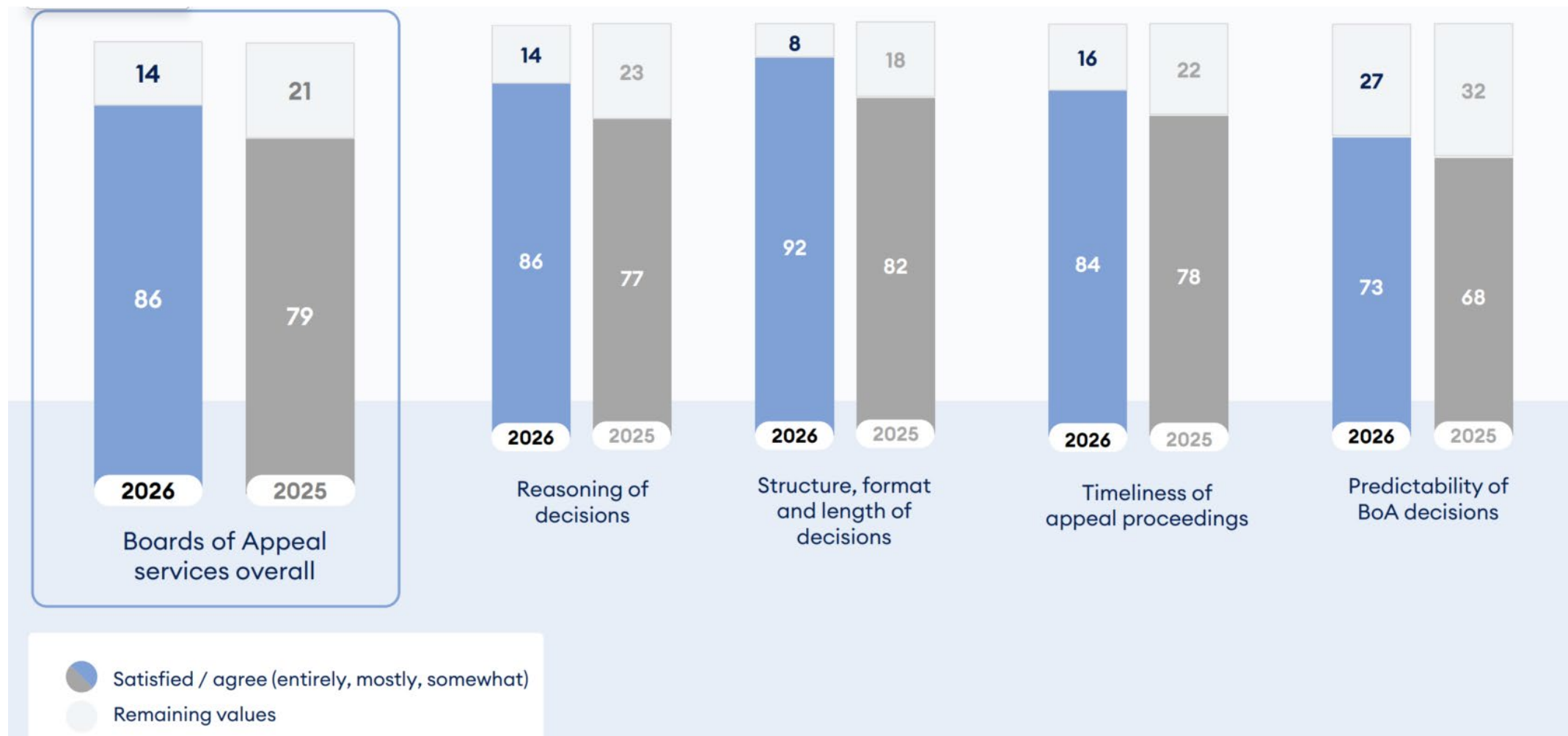
Total: **77**



1st instance decisions confirmed by the Boards



Customers Satisfaction Survey 2026

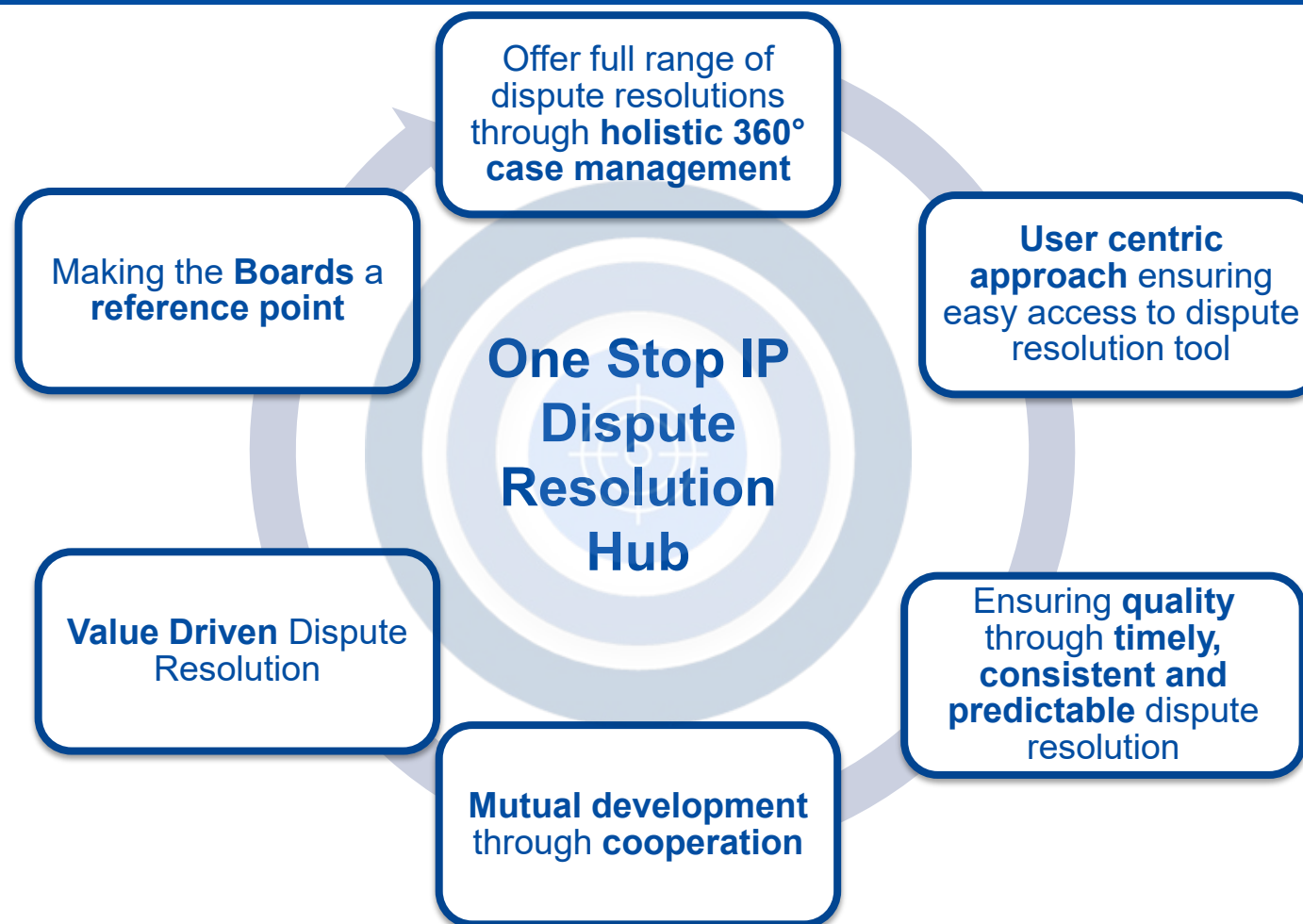


Boards of Appeal Action Plan 2026-2030

Boards of Appeal Action Plan 2026-2030



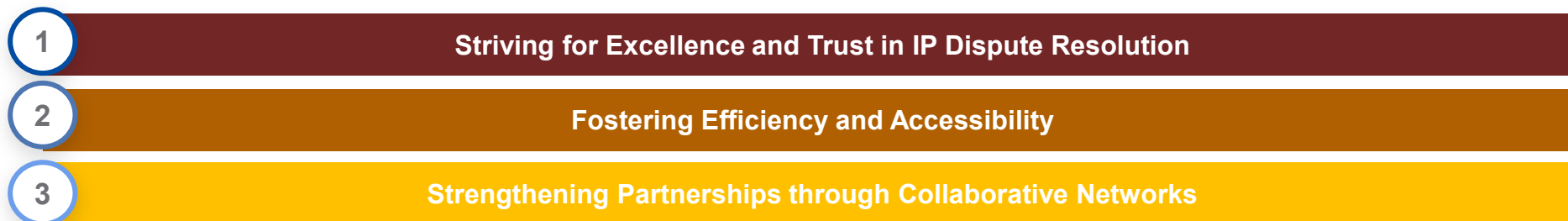
Vision



Vision

ONE STOP IP DISPUTE RESOLUTION HUB

Goals



LoAs



KAs

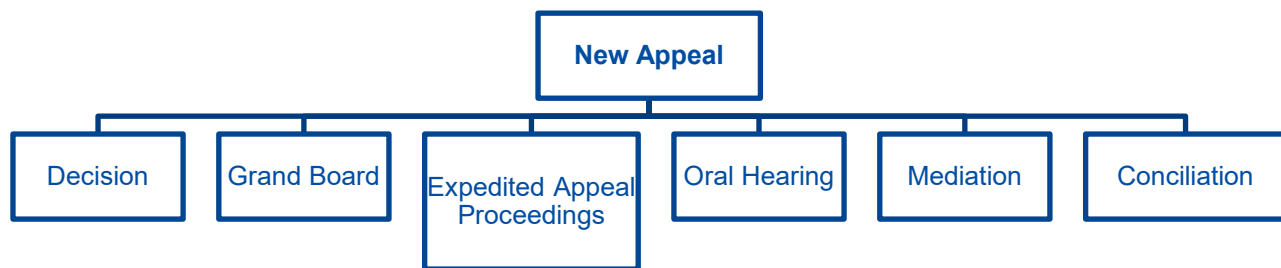


Artificial intelligence and new Boards of Appeal Action Plan

- **Adoption** and leadership of **artificial intelligence ('AI')** in decision-drafting
- Engage with **selected AI initiatives**, enhancing **search, effective drafting assistance** and **consistency of decision drafting** while safeguarding **judicial independence** and **fundamental procedural rights**
- **Human-centric** approach to AI
- Commitment to **ethical** and **responsible AI**

KA 1 & 2 : Quality assurance and holistic case management

- Reinforce quality of decisions by **using a clearer and more concise language**
- Review Boards of Appeal Rules of Procedure, appeal working instructions and practices, with the aim of **simplifying proceedings** and thus reducing procedural burden for parties
- Commission a study on the optimal characteristics of high-quality decisions
- Ensure **efficient handling** of appeals
- Identify **at an early stage** the best way to resolve an appeal case:



- Investigate **use of AI**: to support decision drafting, increase consistency, and enhance user experience

KA 3 : Case-Law Analysis Tracking System (CATS)



- New **Case-Law Analysis Tracking System (CATS)**
- **Identify trends** in the Boards of Appeal, General Court, and Court of Justice case law. As a second phase, once Case Law View is fully operational, to include national case law (linked with Key Action Move from eSearch Case Law to Case Law View)
- Also looking at the **Boards of Appeal case law research reports** and **EU Common Practices**
- **Flag legal areas** of particular importance to identify potential Grand Board cases and preliminary ruling requests by the national IP courts (related to Key Action Convert the IP Judges Network into an IP Judges Community) and inform the entire IP Community
- **Share information** with other EUIPO departments and with national and regional IPOs, national IP courts and users
- **Explore use of AI** to support the CATS model

KA 15 : User Feedback on BoA Decisions



- The FEED initiative aims to foster an open dialogue with users while fully respecting the independent nature of the Boards
- It will enable the BoA to collect detailed feedback on their decisions and practices and to implement a robust quality assurance framework (Key Action 1).

Methodology:

- Representatives from user representatives
- Off-site review of selected decisions by 2 reviewers
- A set of preselected BoA decisions sampled from a defined topics
- On-site session followed by a report
- Feedback analysed and improvements proposed

Implementation:

- 2026 : Internal Dry run
- Q2 – 2027 : First pilot FEED exercise

KA 6 : Maintain and exploit the impact of Consistency Circles



Latest reports published (35 CRs in total)

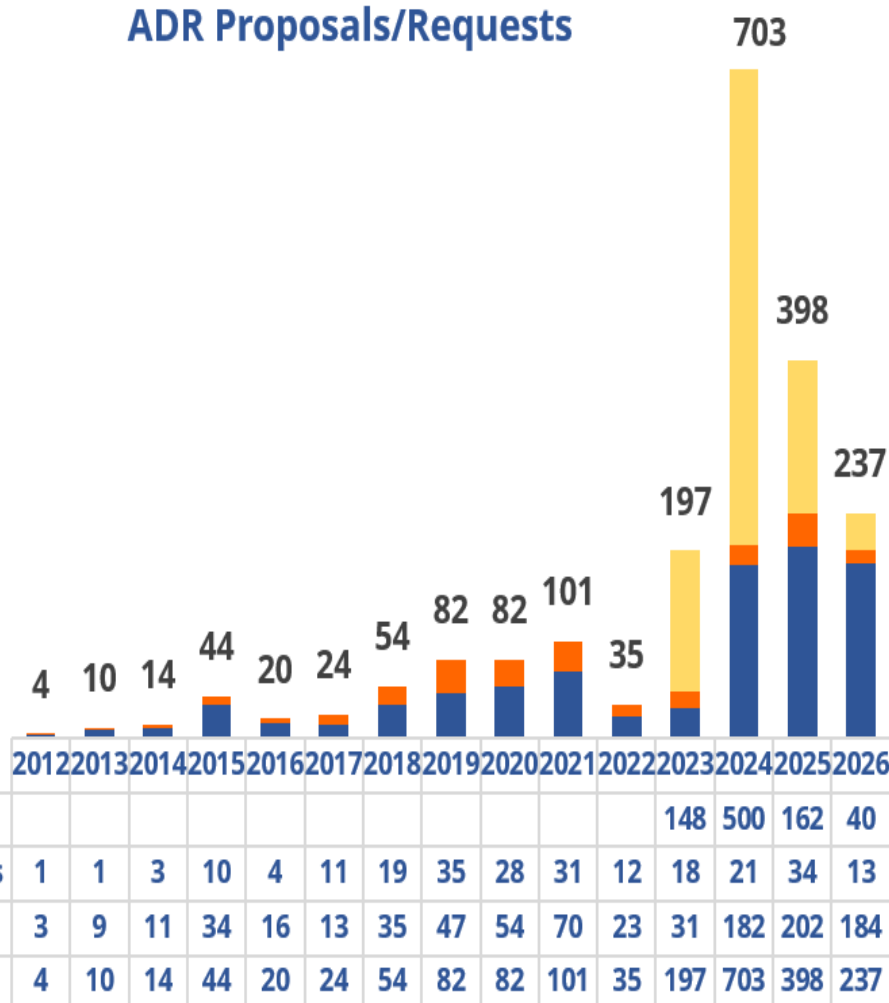
- Signs describing the subject matter of goods and services
- Defining the scope of the indications of goods and services in trade mark specifications
- Invalidity of a design dictated by its technical function pursuant to Article 9(1) EUDR (update)

New topics in the pipeline ...

- Family of marks
- Evocation of geographical indications

Line of Action 2 : Taking Mediation to the next level

ADR Proposals/Requests



- **Optimise the expansion of mediation** available in all EUIPO *inter partes* proceedings
- **Streamline** the mediation **process** and **enhance the efficiency** of mediation
- Offer mediation for **Craft GIs**
- Continuous **training** and **coaching** of **EUIPO mediators**
- **Enhance enforceability** of mediated settlement agreements by assessing **mechanisms for formalising** mediated **settlements** (consent awards under arbitration rules) and **Guidelines** establishing the legal status of agreements

Key Action 8 : EU IP Mediation Community Project

- Establish a **Mediation Community** with national and regional IPOs and IP courts
- Make mediation **available in the entire EU IP Community**
- Provide **global and sustainable solutions** to IP disputes contributing to innovation and growth
- Develop a **system to identify related cases** at EU and national level
- Pilot initiatives with national and regional IPOs to enhance **further cooperation activities** in mediation
- Pilot initiatives with **EUTM/EUD Courts** to develop a **practical workflow for referring** disputes to the EUIPO Mediation Centre – 1st pilot with the EUTM/EUD 1st instance Court of Alicante
- Next **IP Mediation Conference** in 2027 and 2029

Line of Action 4 : Partnership and Growth: External stakeholders

IP Judges Community

A Community of **national IP judges** from **EUTM** and **RCD** national courts to **review the quality of EU and national IP legal practices** and identify and discuss trends in IP jurisprudence.

NETWORK OF APPEAL BODIES

A forum of **Appeal Bodies of EU IPOs** to discuss **trends in EU trade mark and design legal practices and procedures**, including analysis of recent Boards of Appeal and national case-law.



European Cooperation Projects

The **EU IP Offices** and **User Associations** cooperate on projects to harmonise practices and standards. The aim is to develop and implement **common principles** based on relevant EU and national Court judgments.

User Focus Group

A Network of **User Associations' representatives** focused on **discussions on case-law and its implications**, and **consultations on specific topics** crucial to the users.

Latest decisions by the Grand Board of Appeal

➤ R 1946/2024-1, SCCS (fig.)

A logo laid down in the specifications of a GI is registrable as a collective mark where the applicant is the association officially representing all PDO producers. The sign is not misleading as it appears alongside the PDO name 'SALVA CREMASCO' and the official PDO symbol.



➤ R 378/2020-G, Burgos alimenta (fig.)

The application for the EU collective mark 'BURGOS ALIMENTA' could not be registered because the applicant is the Diputación Provincial de Burgos, a public authority, not an association within the meaning of Article 74(1) EUTMR.



A sign administered unilaterally by a public body and perceived as an official quality or origin guarantee risks misleading the public, leading to refusal under Article 76(2) EUTMR.

Latest decisions by the Grand Board of Appeal

➤ 2248/2019-G, GEORGE ORWELL

The sign is descriptive and non-distinctive because the relevant public in Ireland and Malta will immediately understand it as the name of the famous author and, in relation to the goods and services in Classes 9, 16 and 41, as indicating their **subject matter** (i.e. works by him or content related to him).

➤ R 1719/2019-G, ANIMAL FARM & R 1922/2019-G, 1984

The signs corresponding to the titles of famous books will be perceived as indicating the **subject matter** of the goods and services in Classes 9, 16, 28, and 41, thereby rendering the signs descriptive and non-distinctive under Art. 7(1)(b) and 7(1)(c) EUTMR.

- ❖ Filing an application for an EUTM at an early stage, prior to the applicant's name or the title of a work becomes widely known, may preclude the application of Art. 7(1)(b) and (c) EUTMR, insofar as the sign would not yet be perceived by the relevant public as descriptive or devoid of distinctive character.

Pending case before the Grand Board of Appeal

➤ **R 50/2024-G, Fotografisch portret van een persoon (fig.)**

The case concerns whether the representation of a person's face is eligible for registration as a trade mark under Articles 7(1)(b) and 7(1)(c) EUTMR.



Highlights for 2027



30 Anniversary of the Boards of Appeal
15 years of IP Mediation at the EUIPO

➤ **IP Mediation Conference – *12 and 13 April 2027***

Further reading

eSearch Case Law: <https://euipo.europa.eu/eSearchCLW/>

Grand Board decisions and pending cases: <https://www.euipo.europa.eu/en/the-office/boards-of-appeal/decisions>

Boards of Appeal Case-Law Research Reports: <https://www.euipo.europa.eu/en/the-office/boards-of-appeal/publications/research-reports>

Overview of Boards of Appeal decisions: <https://www.euipo.europa.eu/en/the-office/boards-of-appeal/publications/decisions>

Overview of GC/CJ Case-Law: <https://www.euipo.europa.eu/en/the-office/boards-of-appeal/publications/cjgc-case-law>

Boards of Appeal Studies: <https://www.euipo.europa.eu/en/boards-of-appeal/studies>

BoA Action Plan: <https://www.euipo.europa.eu/en/boards-of-appeal/action-plan>



www.euipo.europa.eu

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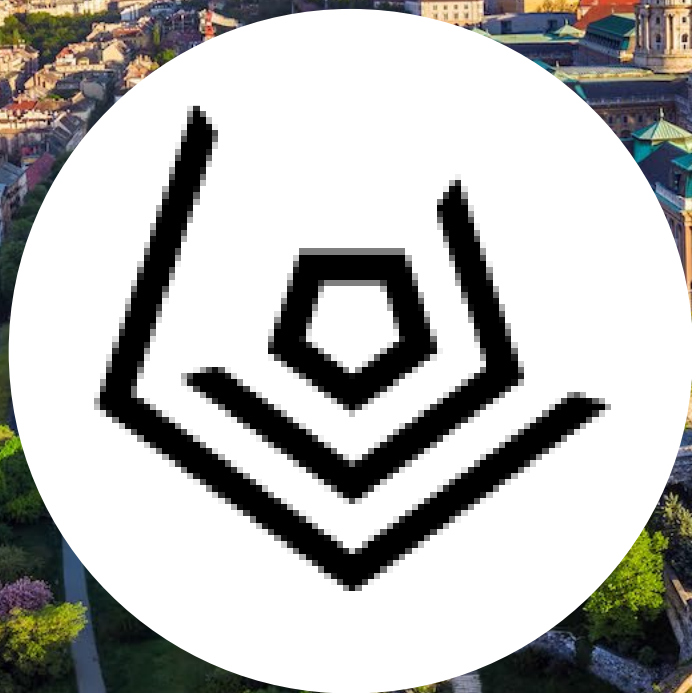
 [EUIPO](https://www.linkedin.com/company/euipo)

 [EUIPO.EU](https://www.facebook.com/EUIPO.EU)

 [@EUIPO](https://www.instagram.com/EUIPO)

 [EUIPO](https://www.youtube.com/EUIPO)

THANK YOU



Dr. Ádám György

SBGK Patent Attorneys





Late evidence in trade mark appeals

HUNGARY AND THE EUROPEAN UNION

When may an appeal body consider material that was not filed at first instance?

One practical question

Does the later material support the case already made, or does it create the case?

Hungarian Trade Mark Act, Section 91(3)–(4)

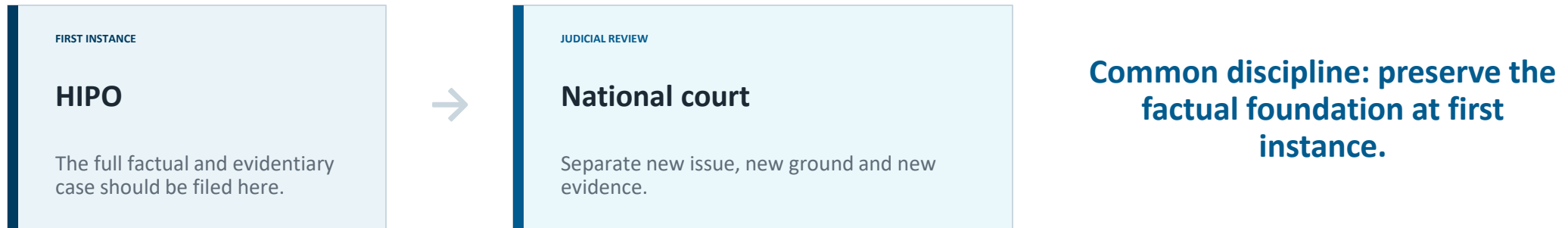
EUTMR 95(2) · EUTMDR 27(4) · BoA Rules 49–55



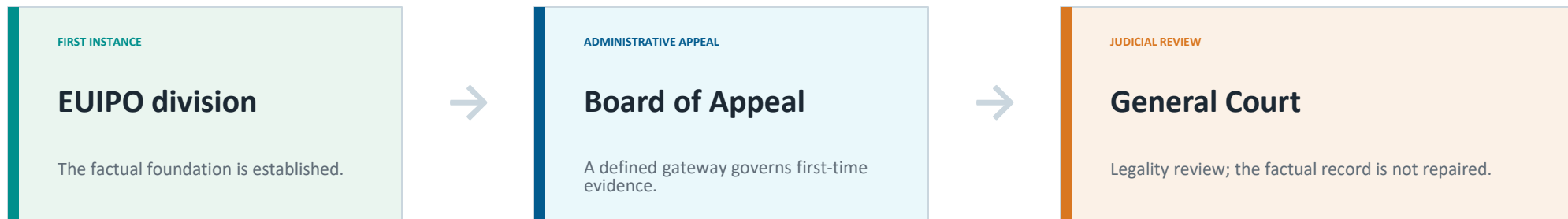
One evidentiary problem, two procedural systems

THE PROCEDURAL MAP

HUNGARY



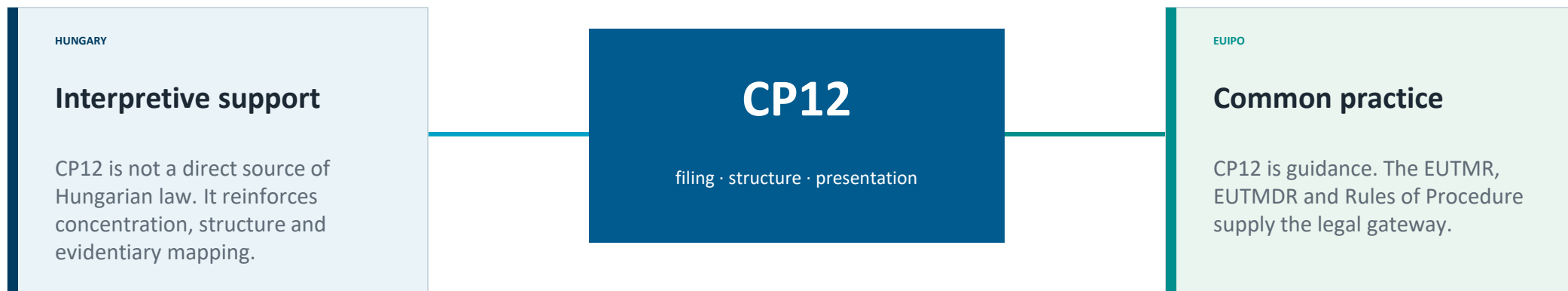
EUROPEAN UNION





CP12 as the common procedural language

A BRIDGE, WITH DIFFERENT LEGAL FORCE



A common filing discipline

- Identify the evidence item.
- Point to the exact passage.
- State the fact it proves.
- Explain the timing and the timely anchor.

Budapest Court of Appeal 9.Pkf.25.179/2024/3., para. 25 · unofficial translation

“(...) not automatically applicable in the Hungarian legal system (...) because the system of legal remedies is different (...)”

CP12, §3.3.2.1 · Hungarian Code of Civil Procedure, Section 275(2) · 2026 Boards of Appeal Rules, Rule 52



Hungary: two consecutive filters

HUNGARIAN TRADE MARK ACT, SECTION 91

GATE 1 · SECTION 91(3)

Is the matter new?

New issue: remit to HIPO.

New opposition or cancellation ground: disregard.

Same issue: continue to Gate 2.



GATE 2 · SECTION 91(4)

May the evidence be considered?

Later evidence requires a concrete and sufficient justification.

The court tests timing, availability and causal connection.

Same issue does not mean admissible evidence

Curia of Hungary Pfv.IV.22.256/2017/5., para. 12 · Section 91(3)

“Since (...) the conflicting trade mark had not been the subject of the proceedings before HIPO, it was justified (...) to transfer the request for alteration to HIPO.”

Budapest Court of Appeal 8.Pkf.26.057/2022/8. (IKARUS), para. 47 · historical counterpoint

“(...) the applicant (...) cannot be prevented from submitting further documentary evidence to prove facts already supported by evidence.”

Hungarian Trade Mark Act, Section 91(3)–(4) · Quotations are unofficial translations from Hungarian

STRENGTHENING THE PRACTICE OF THE INDEPENDENT IP ATTORNEY

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Hungary: the current admissibility test

THE JUSTIFICATION MUST BE ITEM-SPECIFIC

01

Knowledge

When did the item become known?

Possible justifications

Objectively unavailable earlier

Budapest Court of Appeal 9.Pkf.25.179/2024/3., para. 28

“(...) the party must state clearly (...) which specific item of evidence serves to rebut which specifically identified finding of the decision.”

02

Availability

When could it objectively be obtained?

03

Earlier omission

Why was it absent before HIPO?

04

Causal link

Which precise new finding does it answer?

Answers genuinely new HIPO reasoning

No real opportunity to respond

Curia of Hungary Pfv.IV.21.149/2024/2., para. 28

“(...) the court may disregard (...) evidence first submitted in the request for alteration, or thereafter, without sufficient reason.”

Current Hungarian line - Quotations are unofficial translations from Hungarian

STRENGTHENING THE PRACTICE OF THE INDEPENDENT IP ATTORNEY

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EUIPO: the gateway for first-time evidence

A STRUCTURED DISCRETION

PRIMA FACIE RELEVANT

+

A VALID CIRCUMSTANCE

Recognised routes

SUPPLEMENTS

timely facts or evidence already on file

RESPONDS

to a first-instance finding raised of its own motion

UNAVAILABLE

for an objective reason at first instance

OTHER REASON

a concrete circumstance justifies the timing

RTL Group Markenverwaltungs GmbH v EUIPO – Marcella Örtl, T-1088/23, EU:T:2025:446, para. 54

“(...) two conditions, namely, first, they must be relevant on the face of it, and, secondly, valid reasons must be presented (...)”



Supplementary evidence and a new factual case

THE DECISIVE RELATIONSHIP TO THE TIMELY RECORD

ACCEPTED AS SUPPLEMENTARY

Osculati Srl v EUIPO – Olymp Bezner KG
T-267/25, EU:T:2026:366, para. 31

The timely record already contained a declaration, invoices, photographs and catalogues. Later market data and press coverage reinforced that foundation.

“(...) supplementary evidence is characterised by a link with other evidence previously submitted in due time which it supplements.”

REJECTED AS A NEW FACTUAL CASE

European Federation of Financial Analysts’ Societies (EFFAS) v EUIPO – CFA Institute
T-632/24, EU:T:2025:1067, para. 35

No genuine factual case on peaceful coexistence had been developed before the Opposition Division. The appeal evidence created that case for the first time.

“(...) since no evidence relating to the alleged peaceful coexistence (...) had been submitted (...) the evidence (...) did not constitute supplementary evidence.”

The link to the timely foundation determines the category

General Court judgments in Osculati and EFFAS



The national and EU tests compared

CONVERGENCE IN PREPARATION, DIVERGENCE IN ADMISSIBILITY

Question	Hungarian court	EUIPO Board of Appeal
Starting premise	The HIPO record should be complete	Appeal evidence may enter through defined discretion
Gateway	Concrete and sufficient justification	Prima facie relevance plus a valid circumstance
Supplementary evidence	Possible only through the statutory exception	An express and important route to admission
Failure to justify	The court disregards the item	The Board may disregard it, with reasons
Review focus	Legality of the HIPO decision	Reasoned exercise of the Board's discretion

Leading authorities

HUNGARY

Budapest Court of Appeal 9.Pkf.25.179/2024/3. • Curia of Hungary Pfv.IV.21.149/2024/2.

EUIPO

Osculati, T-267/25 • EFFAS, T-632/24 • RTL, T-1088/23



Review bodies and procedural error

DIFFERENT POWERS, DIFFERENT REMEDIES

HUNGARIAN COURT

Annul and remit after a serious HIPO error

Budapest Court of Appeal
9.Pkf.25.326/2024/2., para. 17

“(...) it is not possible for the court to assess evidence for the first time, because (...) it would act (...) as the body deciding the merits.”

BOARD OF APPEAL

Exercise discretion and give reasons

RTL Group Markenverwaltungs GmbH v EUIPO –
Marcella Örtl
T-1088/23, EU:T:2025:446, para. 47

“(...) in no way a ‘favour’ (...) but (...) an objective, reasoned exercise of the discretion (...)”

GENERAL COURT

Review legality on the Board’s record

Sandoz AG v EUIPO, supported by Marques
T-591/24, EU:T:2026:421, para. 16

“It is not the Court’s function to review the facts in the light of documents adduced for the first time before it.”

The remedy follows the reviewing body’s institutional role

Hungarian quotation is an unofficial translation · RTL, EU:T:2025:446 · Sandoz, EU:T:2026:421

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The evidentiary map

MAKE ADMISSIBILITY AUDITABLE

Item	Timely anchor	Fact proved	Exact passage	Admission reason
A1 Invoices	First-instance submission	Time, territory, extent	pp. 12, 27, 61	Timely
A4 Catalogue	First-instance submission	Nature of goods; product codes	pp. 8–11	Timely
A12 Market report	A1 and A4	Market recognition	pp. 5–9	Supplements A1–A4; answers decision §...

Budapest Court of Appeal 9.Pkf.25.179/2024/3., para. 29 · unofficial translation

“(...) it is necessary for the party to state, for every individual document, which fact alleged by it that document is intended to prove.”

CP12, §3.3.2.1 · 2026 Boards of Appeal Rules, Rule 52 · Hungarian Code of Civil Procedure, Section 275(2)



Practical conclusions

FIVE RULES FOR APPEAL-READY EVIDENCE

- | | | | |
|-----------|----------|-------------------------------|---|
| 01 | — | Build the record early | Plead the full factual case and file the core evidence at first instance. |
| 02 | — | Classify the novelty | Separate a new issue, a new ground and a new evidence item. |
| 03 | — | Plead admissibility | Give every late item its own gateway analysis before probative value. |
| 04 | — | Map the evidence | Connect item, fact, exact passage, timely anchor and timing reason. |
| 05 | — | Respect the forum | Before the General Court, challenge legality, reasoning and discretion. |

A later document may survive when the record already contains the case it supports



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