

Warsaw, 26 May 2020

Dear Sirs,

We would like to inform you that a new act on the amendment to certain Acts regarding the protective measures connected with spreading SARS-CoV-2 virus has been signed on 14 May 2020 and entered into force as of May 16 2020. The new act introduced changes to the previous regulations on the suspension of administrative, procedural and judicial deadlines. Article 15zzr and Article 15zzs of the Act of 2 March 2020 specific solutions related to the preventing, counteracting and combating COVID-19, other infectious diseases and crisis situations caused by them have been repealed by virtue of the aforementioned Act, in result of which:

- the time limits, which during the period of epidemic threat and epidemic situation declared due to COVID-19 have not started, shall start to run after 7th day of the date at which the Act entered into force. That means that the first day of such a time limits will be 24 May 2020
- the suspended time limits shall continue to run 7 days after date at which the Act entered into force. Consequently, these time limits shall continue to run from 24 May 2020. In such a case, if we want to calculate the date of expiry of the 'suspended' time limit, we should check how many days after the entry into force of the Anti-Crisis Shield Act (i.e. 31 March 2020) this deadline would expire and add this number to the deadline of 24 May 2020

Importantly, the time limits for filing opposition against trademark registrations remain unchanged, i.e. the 3-month period is interrupted and starts to run again from 1 July 2020. Thus, the opposition period expires on 1 October 2020.

Additionally, during the period in which epidemic threat and epidemic situation declared due to COVID-19 is in force and within one year of the date the last one was called off, hearings are to be held in the courts at a distance using devices with direct transmission of images and sound. Yet, holding a hearing without the use of such devices is possible if it does not pose an excessive risk to the health of the persons participating in it. Persons attending such meetings need not be present in the court building.

Kulikowska & Kulikowski Sp.k.

Furthermore, the hearings before the Boards adjudicating in litigation procedure at the Patent Office are resumed. To ensure the safety of all participants in the proceedings, the Office will introduce guidelines for new organization of hearings. The Office plans that the first hearings would take place in the second half of June.

Also, according to the new law provisions, during the period in which epidemic threat and epidemic situation declared due to COVID-19 is in force and within one year of the date the last one was called off, the possibility of holding sessions in camera is introduced in the courts upon the consent of the parties if a judge considers it necessary to examine the case while holding of an open hearing could pose an excessive risk to the health of the persons participating therein and cannot be held at a distance with simultaneous direct transmission of images and sound.

We trust that this information has proved to be useful for you. Should you have any questions or doubts, please contact us at kulikowska@kulikowski.pl.