



The Legal 500 & The In-House Lawyer
Comparative Legal Guide
Bulgaria: Intellectual Property

This country-specific Q&A provides an overview to intellectual property law in [Bulgaria](#).

It will cover intellectual property rights, licensing, enforcement, establishing infringement or liability, and challenges to intellectual property.

This Q&A is part of the global guide to Intellectual Property. For a full list of jurisdictional Q&As visit <http://www.inhouselawyer.co.uk/index.php/practice-areas/intellectual-property/>



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1. What different types of intellectual property rights exist in this jurisdiction to protect?

(a) Inventions (e.g. patents, supplementary protection certificates, rights in confidential information and/or know-how);

According to the Bulgarian patents and registration of utility models act (PRUMA), the patentable inventions and the utility models and Certificates for supplementary protection of products and methods are subject to protection.

(b) Brands (e.g. trade marks, cause of action in passing off, rights to prevent unfair competition, association marks, certification marks, hallmarks, designations of origin, geographical indications, traditional speciality guarantees);

According to the Bulgarian trademarks and geographic names act (TGNA), the trademarks and geographic names are subject to protection.

(c) Other creations, technology and proprietary interests (e.g. copyright, design rights, semiconductor topography rights, plant varieties, database rights, rights in confidential information and/or know-how).

Under Art.3(1) of the Bulgarian copyright and related rights act (CRRRA), prom. SG.56/29 Jun 1993, suppl. SG.14/20 Feb 2015, any literary, artistic and scientific work resulting from creative endeavour and expressed by any mode and in any tangible form shall be the subject matter of copyright.

In addition, the performers in their performances; the producers of phonograms in their phonograms, the producers of the initial record of a film or other audio-visual work in the original and the copies obtained as a result of this record as well as the radio and television organizations in their programs shall have rights, related to the copyright, including the rights of the maker of a database.

According to Art.83 (6) of the CRRRA, the Names of Artistic Groups are also subject to protection.

According to Art.1 of the Bulgarian industrial design act (IDA), the industrial design is also subject to protection.

According to the Bulgarian protection of new plant varieties and animal breeds act, the new plant varieties and animal breeds are subject to protection.

According to the Bulgarian topology of the integrated circuits act, the topology of the integrated circuits is subject of protection.

What is the duration of each of these intellectual property rights? What procedures exist to extend the life of registered rights in appropriate circumstances?

The legal protection of the patentable invention shall be granted with a patent. The term of the patent shall be twenty years as from the date of filing of the application.

The legal protection of the Certificates for supplementary protection shall be granted by a certificate, which can be valid for twenty years.

The right over a mark shall be acquired through registration assumed from the date of submitting the application. The term of effect of the registration shall be ten years after the date of submitting the application. The registration can be renewed unlimited for following periods of ten years.

The legal protection of the geographic name shall be rendered with the registration at the Patent Office. The legal protection of the registered geographic name shall be terminated when the link between the qualities or the peculiarities of the commodity with the geographic environment stops to exist.

Copyright shall be protected for the life of the author and seventy years after his death. In the case of works created by two or more authors the term shall run from the death of the last surviving author. For music pieces with lyrics and musical dramatic works the term shall expire seventy years after the death of the author of the music and the author of lyrics whoever has deceased the latest, notwithstanding whether these individuals are referred to as co-authors, provided that the lyrics and the music have been created to be used jointly.

Everyone who makes available to the public a work after expiration of the term of protection of the copyright, if not published by then, shall have the rights that expire after 25 years, beginning from the first of January of the year following the year of making the work available to the public.

2. The rights of the artists-performers shall expire after fifty years after the date of the performance.

The right of name of artistic group shall be protected for a period of ten years after the artistic group has discontinued its activity. This term shall run from the first of January of the year following the year of discontinuance.

The rights of a maker of the database shall expire after fifteen years.

Right over a design shall be acquired through its registration at the Patent department assumed from the date of submitting the application for registration. The term of effect of the registration of a design shall be ten years after the date of submitting the application. The registration shall be possible to be renewed for three subsequent periods of five years.

The legal protection of a variety shall be provided by a certificate valid for thirty years for trees and vines and for twenty five years for all other varieties.

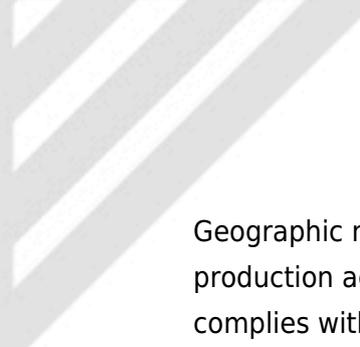
The legal protection of animal breeds shall be provided by a certificate, with validity of thirty years from the date of issuance of the certificate

The protection over the topology shall be in effect for ten years after the end of the calendar year when has started the effect of it.

3. Who is the first owner of each of these intellectual property rights and is this different for rights created in the course of employment or under a commission?

Invention and utility model: The person, who has created an invention or utility model, shall be its inventor. An invention shall be official if it is made while fulfilling one's official obligations stemming from a labour or other contract of the inventor, except where the contract provides otherwise. Thus, the he right to patent an invention created while fulfilling labour contract or other contract shall belong to the employer if he files an application within three months of receiving the notification of the invention from the inventor.

Trademarks: The right to registration shall belong to the first applicant.



Geographic names: The right to declaring shall belong to each person implementing production activity at the defined geographic place and the commodity produced complies with the established qualities and peculiarities. The registered geographic name shall be possible to be used only by a person entered as its user.

Copyright: Author shall be the natural person whose creative endeavours have resulted in the creation of a literary, artistic or scientific work. Until proved otherwise author of the work shall be considered to be the person whose name or other identifying mark is indicated on the original, copies or specimen of the work and/or on their packing in the usual manner.

Copyright in a work created by two or more persons shall belong to them jointly irrespective of whether the work constitutes one indivisible entity or consists of separate parts each having individual significance.

Copyright in translation or adaptation shall belong to the person who has made it without prejudice to the rights of the author of the original work.

Copyright in periodicals and encyclopaedias shall belong to the natural or legal person responsible for the creation and publication of the work. Copyright in the individual components included in such work, having the nature of a literary, artistic or scientific work, shall belong to their individual authors.

Copyright in collections, anthologies, bibliographies, databases, etc. shall belong to the person who has collected or arranged the works and/or material contained therein, unless otherwise agreed in a contract. Copyright in the individual parts included in such work, which themselves constitute literary, artistic or scientific works, shall belong to their authors.

Copyright in works of fine art and architecture shall belong to the person who has created those works also in case the ownership of the work belongs to another person.

Copyright in works of fine art or photography constituting a portrait of other person shall belong to the author of the work.



Unless agreed otherwise, copyright in computer programmes and databases developed in employment relationship shall belong to the employer.

Related rights: The related rights belong to the performer, whereas the Performer shall be a person who presents, sings, plays, dances, declaims, acts, directs, conducts, comments, dubs roles or performs in other manner a work, circus or variety performance, puppet show or a folklore work.

Rights of the producers of phonograms belong to the natural or legal person who organises the first recording and provides its financing.

Rights of the film producers belong to the producer of the initial recording of the film or another audio-visual work.

Rights of radio and television organisations belong to the radio and television organisation which has carried out the initial broadcasting or transmission of its own programme.

Rights of the makers of databases belong to the maker of the database, who is the natural or legal person, who has taken the initiative and the risk to invest in collecting, verifying or using the contents of a database, if this investment is significant in qualitative or quantitative respect.

The person that created design shall have the right to authorship. When the design has been created by two or more persons the right to ownership occurs for all the persons and they shall be co-authors. Co-authors shall not be the persons who have rendered only technical, material or other assistance to the author.

Authorship of a variety or a breed shall be established with their creation, discovery and cultivation. The local (autochthonous) livestock breeds and the established breeds within the state according to Annex shall be ownership of the Bulgarian state. A person, who has created or discovered and cultivated a variety or a breed, is the author (creator) of this variety or breed. When several persons have created or discovered and cultivated a variety or a breed jointly, they are joint authors of the variety or breed.

Right over a topology belong to the person who created the topology and applied for registration at the Patent department. The topology shall be official when it has been created in implementation of obligations in employment legal relation or as order unless among the parties other has been agreed in writing.

4. Which of the intellectual property rights described in questions 1-3 are registered?

The IP rights over patents, utility models, trademarks, geographical indications, industrial designs and topology of the integral circuits are registered rights. The IP holder must complete a registration procedure before the respective Patent Office (e.g. Bulgarian Patent Office for national registration, the European Intellectual Property Office for European registration, etc.)

5. Who can apply for registration of these intellectual property rights and, briefly, what is the procedure for registration?

In general, the right to apply for registration belongs to the creator/ the owner of the rights as described in section 3 above. The procedure starts with filing of an application at the Patent Office and shall be entered into the State register of the respective right. The form of the applications and the order of filing and expertise at the Patent Office are in general determined by an ordinance of the Council of Ministers. Generally, a check of the Formal Requirements for registration shall be performed and afterwards a preliminary expertise and expertise on admissibility of the legal protection. Then a final expertise/ Expertise in essence is performed. The registered IP rights shall be entered into the official register, e.g. in the in the official bulletin of the Patent Office.

6. How long does the registration procedure usually take?

Registration of:

- patents usually takes between approx. 37-40 months and of utility months between approx. 9-12 months;
- trademarks usually takes approx. 9-10 months and in case of filed opposition – between approx. 21-27 months;
- geographical indications usually takes between approx. 19-22 months;

- industrial design usually takes approx. 6-7 months;
- topology usually takes 6-9 months.

7. Do third parties have the right to take part in or comment on the registration process?

In the following registration proceedings third parties are entitled to intervene:

- in the patent registration proceedings third parties are entitled to object against the patentability of the invention applied for registration;
- in the trademark registration proceedings the holder of earlier trademark/of earlier trademark application is entitled to file an opposition if the trademarks and the goods/services are identical or identical/similar that creates likelihood of confusion.

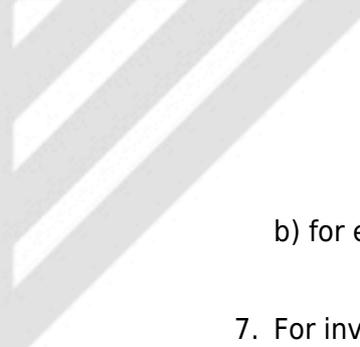
8. What (if any) steps can the applicant take if registration is refused?

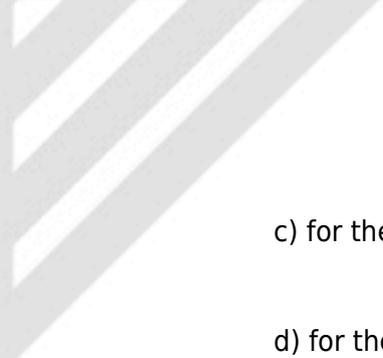
The applicant can appeal the decision before the disputes division of the Patent office.

9. What are the current application and renewal fees for each of these intellectual property rights?

Inventions:

1. For an application - BGN 50
2. For patent claims - for each following the tenth claim - BGN 20
3. To claim priority - for each priority - BGN 20.
4. checking the formal requirements - BGN 50
5. For preliminary examination and eligibility check - for one invention - BGN 160
6. For preliminary examination and verification of the admissibility of the application for a group of inventions:
 - a) for a group of two inventions - BGN 200;

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- b) for each subsequent invention from the group - BGN 80
 - 7. For investigation and examination of an application for an invention - BGN 200
 - 8. For examination and examination of a request for a group of inventions:
 - a) for a group of two inventions - BGN 300;
 - b) for each subsequent invention from the group - BGN 80
 - 9. To post a request - BGN 80
 - 10. For consideration of a request for an accelerated publication of an application - BGN 30
 - 11. To make changes to the description, claims, drawings and the referendum at the initiative of the applicant - BGN 40.
 - 12. For conducting international correspondence on patent application under the Patent Cooperation Treaty (PCT) - BGN 80.
 - 13. For the issuance of a patent - BGN 80
 - 14. For publication of the description, claims and drawings to the patent:
 - a) up to 10 pages - 100 BGN;
 - b) for each page after the tenth - BGN 12.
 - 15. A publication for the grant of a patent, incl. of independent claims:
 - a) up to 5 independent claims - BGN 50;
 - b) for each independent claim over the heel - BGN 6
 - 16. To maintain the effect of a patent:
 - a) for the first 3 years of the application - 50 BGN;
 - b) for the 4th year - 50 BGN;

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- c) for the 5th year - BGN 150;
 - d) for the 6th year - BGN 200;
 - e) for the 7th year - 250 BGN;
 - f) for the 8th year - 300 BGN;
 - g) for the 9th year - 400 BGN;
 - h) for the 10th year - 500 BGN;
 - i) for the 11th year - BGN 600;
 - k) for the 12th year - BGN 700;
 - l) for the 13th year - BGN 800;
 - m) for the 14th year - 900 BGN;
 - n) for the 15th year - BGN 1000;
 - o) for the 16th year - BGN 1100;
 - p) for the 17th year - 1200 BGN;
 - q) for the 18th year - 1300 BGN;
 - r) for the 19th year - 1500 BGN;
 - s) for the 20th year - BGN 1700;

t) for the patents issued under § 5 of the Transitional and Final Provisions of the Patents Act and the Registration of the Useful Models:

- for the 21st year - BGN 2000;
- for the 22nd year - 2500 BGN;
- for the 23rd year and for each one - 3000 leva.

17. To restore the validity of a patent - BGN 500

18. For consideration of an application for granting or termination of a compulsory license - BGN 200

19. For re-issuance of a patent - BGN 50

Utility models:

1. For an application - BGN 50

2. For inspection - BGN 200

3. To claim priority - for each priority - BGN 20.

4. For inquiries at the request of the applicant or another person - BGN 200

5. For expertise of the utility model at the request of the applicant or another person - BGN 200

6. To register a utility model - BGN 100

7. For issuance of a registration certificate - BGN 50

8. To publish the description, drawings, claims and referrals:

a) up to 10 pages - 100 BGN;

b) for each subsequent page after the tenth - BGN 12.

9. For publication in the Official Bulletin for registered utility model, including independent claims:

a) up to 5 independent claims - BGN 50;

- b) for each independent claim over the heel - BGN 6
10. For the extension of the registration period:
- a) for the 5th - 7th year - 300 BGN;
 - b) for the 8th - 10th year - 400 BGN

Certificates for supplementary protection:

1. Submission and examination of an application:
 - a) for issuance of a certificate - BGN 500;
 - b) to extend the validity of a certificate for a pediatric medicinal product - BGN 400.
2. For publications in the Official Bulletin of:
 - a) a request for an application - BGN 50;
 - c) notification of the forthcoming validity of the certificate - BGN 50;
 - d) Certificate of expiration of the certificate - BGN 50
3. For the issue of a supplementary protection certificate:
 - a) on a medicinal product - BGN 50;
 - b) concerning a medicinal product for pediatric use - BGN 50
4. For the publication of the certificate - BGN 50
5. To maintain the validity of the certificate:
 - a) for the first year - BGN 2000;

- b) for the second year - 2500 BGN;
 - c) for the third year - BGN 3000;
 - d) for the fourth year - 3500 BGN;
 - e) for the fifth year - BGN 4000;
 - f) for the beginning of the sixth year concerning a medicinal product for pediatric use - BGN 2500
6. To post a certificate reimbursement message – BGN 50.

Industrial design

1. Request BGN 50
2. Priority claim for each priority BGN 20
3. Request Exam:
 - a) for a design BGN 80
 - b) for each subsequent design BGN 40
 - c) for set or composition BGN 120
4. Design registration BGN 200
5. Issue of a registered design license BGN 60
6. Posting in the Official Design Bulletin - for each image BGN 40
7. Postponed post:
 - a) for a design BGN 60
 - b) for each subsequent design BGN 30

- c) for kit or composition BGN 100
- 8. Renewal of the registration:
 - a) for first renewal BGN 300
 - b) for second renewal BGN 400
 - c) for a third renewal BGN 500
 - d) up to 6 months after expiry of the payment period additional BGN 100 plus 50 per cent of the respective fee

Marks

Trademarks, service marks and joint brands/Collective and certification marks

1. Request and expertise:
 - a) up to three classes - BGN 150 - BGN350
 - b) for each subsequent class - BGN 40 - BGN 100
2. Claim priority - for each priority - BGN 20 - BGN 20
3. Publication of the application - BGN 40 - BGN 40
4. Submitting opposition - BGN 400 - BGN 800
5. Registration - BGN 300 - BGN 600
6. Issuance of a registration certificate - BGN 60 - BGN 60
7. Publication of a registered trade mark - BGN 40 - BGN 40
8. Renewal of registration and publication:
 - a) until the expiry of the registration:

- up to three classes - BGN 300 - BGN 600
 - for each subsequent class - BGN 60 - BGN 120
- b) up to 6 months after the expiry of the registration:
- up to three classes - BGN 450 - BGN 900
 - for each subsequent class - BGN 90 - BGN 180

Geographic names

1. Request and expertise:
 - a) for the registration of a geographical indication BGN 200
 - b) for the entry of a subsequent holder of a geographical indication BGN 200
2. Registration and registration of first user BGN 40
3. Entry of a subsequent user BGN 40
4. Issue of a certificate BGN 60
5. Publication BGN 40
6. Consideration of an appeal against a decision on:
 - a) termination of proceedings BGN 120
 - b) refusal of registration BGN 120
 - c) refusal to enter a user BGN 180
7. Request for cancellation of registration pursuant to Art. 57, para. 1, item 2 of the Marks and Geographical Indications Act BGN 200
8. Request for cancellation of registration on the basis of a judgment BGN 20
9. Request for cancellation of the user's registration on the basis of a judgment BGN 20

New plant varieties and animal breeds

1. Request BGN 40
2. Claim for priority BGN 20
3. Request for publication BGN 20
4. Issue and publication of a certificate BGN 95
5. Publication for each image in a certificate issued BGN 12
6. Maintaining a certificate:
 - a) annual fees for the first 4 years of issue of BGN 20
 - b) for the 5th to 10th year the fee increases with the previous one by BGN 40
 - c) from the 11th year, the fee is increased by BGN 60

Topology

1. Request BGN 40
 2. Registration BGN 300
 3. Publication of the registration BGN 40
 4. Issue of a registration certificate BGN 40
 5. Request for access to the application file BGN 20
10. **What are the consequences of a failure to pay any renewal fees and what (if any) steps can be taken to remedy a failure to pay renewal fees?**

Failure to pay the renewal fee leads to termination of the protection. A patent which has ceased to be in force due to failure to pay the annual patent fee may be re-established within 6 months of the expiration of the term upon payment of a fee for renewal of the patent, as well as of double the amount of the due fee. The refusals for renewal of registration may be appealed against under the Administrative procedure code.

11. What are the requirements to assign ownership of each of the intellectual property rights described in questions 1-3?

Copyright could not be fully transferred according to Bulgarian law. After it has arisen, it belongs to its author. The transferable rights of copyright could only be licensed.

IP rights over patents, utility models, trademarks, industrial designs, topology of the integral circuits could be transferred. A document for the transfer must be presented before the Patent Office and registered in the State Register of Trademarks.

12. Is there a requirement to register an assignment of any of these intellectual property rights and, if so, what is the consequence of failing to register?

Yes - failing to register means the transfer does not have any legal effect regarding third parties.

13. What are the requirements to licence a third party to use each of the intellectual property rights described in questions 1-3?

A license contract in writing shall be concluded.

14. Is there a requirement to register a licence of any of these intellectual property rights and, if so, what is the consequence of failing to register?

Yes, the contract needs to be registered at the Patent office in order to have effect with regard to third persons.

15. Are exclusive and non-exclusive licensees given different rights in respect of the enforcement of the licensed IP, and if so, how do those rights differ?

The grantor of an exclusive license shall not have the right to concede licenses with the

same subject to other persons. He shall have the right to use the IP if this has been explicitly agreed.

16. Are there criminal sanctions for infringement of any intellectual property rights, and if so, what are they and how are they invoked?

Yes, Section VII of the Bulgarian Penal code provides for criminal liability for infringement of IP rights, e.g. usage without legal ground. The criminal liability shall be invoked where there is a legal reason and sufficient data for a committed offence by an investigating body.

17. What other enforcement options are available in your jurisdiction for each of the intellectual property rights described in questions 1-3? For example, civil court proceedings, intellectual property office proceedings, administrative proceedings, alternative dispute resolution.

Disputes related to the creation, protection and use of IP rights shall be resolved by administrative proceedings, in court or through arbitration. Copyrights shall be protected only in court proceedings.

18. What is the length and cost of such procedures?

The proceedings before the Patent office usually take between 10 -12 months. The decision of the Patent office is subject to appeal before the Administrative court where the proceedings might take up to 3 years. The civil proceedings may take up to 3-5 years dependant on the fact that first instance decision may be appealed before the Appellate court and then before the Supreme court of cassation.

The fees depend on the type of request for initiation of proceedings. There is a Tariff for charges collected by the Patent office in the Republic of Bulgaria and the fees vary from 100 BGN to 500 BGN. The fees for civil proceedings would amount to 30-80 BGN and the fees for appeal of the Patent office decision before Administrative court would amount to 10-50 BGN.

19. **Where court action is available, please provide details of which court(s) have jurisdiction, how to start proceedings, the basics of the procedure, the time to trial, the format of the trial, the time to judgment and award of relief and whether any appeal is available.**

The claims shall be within the competence of the Sofia City Court. The proceedings shall be initiated with request for relief accompanied with state fee and evidences in support of the claim. The respondent has right to file an answer to the request. The Sofia City Court may appoint an expert in order to rightfully access the claim and the evidences. The first instance proceedings generally would take up to a year dependent on how many evidences the parties present and how many questions they impose on the expert. The decision of the first instance court is subject to appeal before Appellate court.

20. **How does the court acquire any necessary information (fact or technical) and in what circumstances does it do so?**

a) Is there a technical judge, a judge with technical experience, a court appointed expert, an expert agreed by the parties, and/or parties' expert witness evidence?

There are no special IP courts/panels in Bulgaria. IP disputes are resolved by the general courts. The courts usually appoint experts to prepare expert reports on similarity, likelihood of confusion, technical matters regarding patentability, etc. The parties are not entitled to agree on experts, they are only appointed ex officio.

b) What mechanisms are available for compelling the obtaining and protecting of evidence? Is disclosure or discovery available?

Disclosure of evidence is available in cases where the claimant has presented evidence in support of its claim and indicated that there are substantial evidences related to the claim in possession of the respondent or third party. In that case the court may oblige the respondent or the third party to disclose the information in the said documents.

If there are sufficient grounds to believe that some evidence may be hidden or destroyed, the court upon the request of the claimant or the holder of exclusive license is entitled to request one of the following interim measures:

- Prohibition to carry out the infringing activities;
- Seizure of the infringing goods;
- Seizure of the equipment or materials used for committing the infringement;
- Closing of the premises where the infringement has occurred.

The seized goods are provided to the claimant who may use them only as evidence in future court proceedings.

21. How is information and evidence submitted to the court scrutinised? For example, is cross-examination available and if so, how frequently is it employed in practice?

Evidences are submitted mostly in writing. Experts and witnesses are cross-examined during open hearings. Experts are appointed in almost every IP case as there are no special IP courts in Bulgaria.

22. What customs procedures are available to stop the import and/or export of infringing goods?

The owner of the right over a design, as well as the licensee of exclusive license may request the customs bodies to suspend products transferred across the state border of the Republic of Bulgaria about which there is ground to be considered that they infringe a protected right.

The customs authorities are authorized to suspend goods, transferred through the state border, of which there are grounds to suspect they infringe a patent, a certificate for supplementary protection or a registered utility model.

The owner of copyright, the owner of related right or right under Art. 93c, as well as the person who has been granted exclusive right of use may request from the customs bodies to suspend goods carried through the state border of the Republic of Bulgaria for which there are grounds to consider that they infringe a right protected by Copyright and related rights act. The customs bodies may at their initiative or upon request of another state body suspend goods for which they have grounds to consider them infringing a

copyright, related right or right under art.93c of CRRA.

The owner of a right in a mark as well as the licensee of exclusive license may request from the customs bodies to detain goods transferred through the state border of the Republic of Bulgaria about which there is ground to be considered that they infringe a right protected by this Trademarks and geographic names act.

23. Are any non-court enforcement options or dispute resolution mechanisms mandatory in respect of intellectual property disputes in any circumstances? If so, please provide details.

No. Alternative dispute resolution mechanism such as arbitration or mediation are only optional.

24. What options are available to settle intellectual property disputes in your jurisdiction?

Settlement in opposition proceedings, Court settlement and off-court settlement.

25. What is required to establish infringement of each of the intellectual property rights described in questions 1-3? What evidence is necessary in this context?

Offering, storage, usage and sale of counterfeits; test purchases from shops and notary certifications of print outs in case of online infringements.

26. What defences to infringement are available?

The following final remedies are available:

- civil protection: it could be accomplished by filing a claim before the court. The rightholder may claim cessation of the infringement, damages, as well as destruction of the infringing goods because of violation of their rights;
- administrative protection: it could be accomplished with the assistance of state authorities, mainly of the Patent Office and the Ministry of Culture: the state

officials are entitled to impose administrative penalties for each violation;

- criminal protection: the violation of IP rights could be qualified as a crime according to the Bulgarian legislation and the violator can be subject to criminal liability.

27. Who can challenge each of the intellectual property rights described in questions 1-3?

Everybody that claims to have rights over the respective IP right.

28. When may a challenge to these intellectual property rights be made (e.g. during any registration process or at any time during the subsistence of the right)?

Opposition may be filed during the registration process while invalidation may be initiated at time after the registration has been completed.

29. Briefly, what is the forum and the procedure for challenging each of these intellectual property rights and what are the grounds for a finding of invalidity of each of these intellectual property rights?

Bulgarian patent office is competent to rule on the matter and its decision can be appealed before the administrative court – Sofia city and the supreme administrative court. The ground for a finding of invalidity of each IP right depends on the prerequisites for registration of the respective right as well as prior rights.

30. Are there any other methods to remove or limit the effect of any of the intellectual property rights described in questions 1-3, for example, declaratory relief or licences of right?

When an interested person has made unsuccessful attempts to be granted a contractual license by the holder under fair terms, the person may request from the Patent Office to be granted a compulsory license for the use of an invention protected with a patent.

31. **What remedies (both interim and final) are available for infringement of each of the intellectual property rights described in questions 1-3?**

The following interim relief is available:

- Prohibition to carry out the infringing activities;
- Seizure of the infringing goods;
- Seizure of the equipment or materials used for committing the infringement;
- Closing of the premises where the infringement has occurred.

The final remedies are listed in section 26.

32. **What are the costs of enforcement proceedings and is any kind of costs recovery available for successful parties? Is there a procedural mechanism enabling or requiring security for costs?**

Apart from the state fee for filing a claim and/or the fee for filing an objection, there is a fee for appointment of an expert and most likely attorney's fees. The costs may vary from approximately BGN 300 to BGN 1 500 per one court instance. In the civil and administrative proceedings it is a general principle that the losing party shall bear the costs. Otherwise, there is no procedural mechanism enabling or requiring security for costs.