

#### 4. DLÍ CUIDEACHTAÍ

##### A. DLÍ CUIDEACHTAÍ

1. 31968 L 0151: Céad Treoir 68/151/CEE ón gComhairle an 9 Márta 1968 maidir le comhordú coimircí a cheanglaíonn Ballstáit ar chuideachtaí de réir bhrí an dara mír d'Airteagal 58 den Chonradh, ar mhaithe le leasanna comhaltaí agus daoine eile a chosaint, d'fhoilligh coimircí den sórt sin a dhéanamh coibhéiseach ar fud an Chomhphobail (IO L 65, 14.3.1968, lch. 8), mar atá arna leasú le:

- 11972 B: An Ionstraim i dtaobh coinníollacha aontachais agus oiriúnuithe na gConarthaí - Aontachas Ríocht na Danmhairge, na hÉireann agus na Ríochta Aontaithe (IO Uimh. L 73, 27.3.1972, lch. 14),
- 11979 H: An Ionstraim i dtaobh coinníollacha aontachais agus oiriúnuithe na gConarthaí – Aontachas na Poblachta Heilléanaí (IO L 291, 19.11.1979, lch. 17),
- 11985 I: An Ionstraim i dtaobh coinníollacha aontachais agus oiriúnuithe na gConarthaí – Aontachas Ríocht na Spáinne agus Phoblacht na Portaingéile (IO L 302, 15.11.1985, lch. 23),
- 11994 N: An Ionstraim i dtaobh coinníollacha aontachais agus oiriúnuithe na gConarthaí – Aontachas Phoblacht na hOstaire, Phoblacht na Fionlainne agus Ríocht na Sualainne (IO C 241, 29.8.1994, lch. 21).

Cuirtear an méid seo a leanas le hAirteagal 1:

"– in the Czech Republic:

společnost s ručením omezeným, akciová společnost;

– in Estonia:

aktsiaselts, osaühing;

– in Cyprus:

Δημόσιες εταιρείες περιορισμένης ευθύνης με μετοχές ή με εγγύηση, ιδιωτικές εταιρείες περιορισμένης ευθύνης με μετοχές ή με εγγύηση;

– in Latvia:

akciju sabiedrība, sabiedrība ar ierobežotu atbildību, komanditsabiedrība;

– in Lithuania:

akcinė bendrovė, uždaroji akcinė bendrovė;

– in Hungary:

részvénytársaság, korlátolt felelősségű társaság;

– in Malta:

kumpanija pubblika/public limited liability company,

kumpanija privata/private limited liability company;

– in Poland:

spółka z ograniczoną odpowiedzialnością, spółka komandytowo-akcyjna, spółka akcyjna;

– in Slovenia:

delniška družba, družba z omejeno odgovornostjo, komanditna delniška družba;

– in Slovakia:

akciová spoločnosť, spoločnosť s ručením obmedzeným".

2. 31977 L 0091: Dara Treoir 77/91/CEE ón gComhairle an 13 Nollaig 1976 maidir le comhordú coimircí a cheanglaíonn Ballstáit ar chuideachtaí de réir bhrí an dara mír d'Airteagal 58 den Chonradh, ar mhaithe le leasanna comhaltaí agus daoine eile a chosaint, i leith foirmiú cuideachtaí dliteanais theoranta poiblí agus cothabháil agus athrú a gcaipitil, d'fhonn coimircí den sórt sin a dhéanamh coibhéiseach (IO L 26, 31.1.1977, lch. 1), mar atá arna leasú le:

- 11979 H: An Ionstraim i dtaobh coinníollacha aontachais agus oiriúnuithe na gConarthaí – Aontachas na Poblachta Heilléanaí (IO L 291, 19.11.1979, lch.17),
- 11985 I: An Ionstraim i dtaobh coinníollacha aontachais agus oiriúnuithe na gConarthaí – Aontachas Ríocht na Spáinne agus Phoblacht na Portaingéile (IO L 302, 15.11.1985, lch. 23),
- 31992 L 0101: Treoir 92/101/CEE ón gComhairle an 23.11.1992 (IO L 347, 28.11.1992, lch. 64),
- 11994 N: An Ionstraim i dtaobh coinníollacha aontachais agus oiriúnuithe na gConarthaí – Aontachas Phoblacht na hOstaire, Phoblacht na Fionlainne agus Ríocht na Sualainne (IO C 241, 29.8.1994, lch. 21).

Cuirtear an méid seo a leanas le hAirteagal 1(1):

– in the Czech Republic:

akciová společnost;

– in Estonia:

aktsiaselts;

– in Cyprus:

Δημόσιες εταιρείες περιορισμένης ευθύνης με μετοχές, δημόσιες εταιρείες περιορισμένης ευθύνης με εγγύηση που διαθέτουν μετοχικό κεφάλαιο;

– in Latvia:

akciju sabiedrība;

– in Lithuania:

akcinė bendrovė;

– in Hungary:

részvénytársaság;

- in Malta:

kumpanija pubblika/public limited liability company;

- in Poland:

spółka akcyjna;

- in Slovenia:

delniška družba;

- in Slovakia:

akciová spoločnosť".

3. 31978 L 0855: Tríú Treoir 78/855/CEE ón gComhairle an 9 Deireadh Fómhair 1978, arna fothú ar Airteagal 54(3)(g) den Chonradh, maidir le cumaisc chuideachtaí dliteanais theoranta poiblí (IO L 295, 20.10.1978, lch. 36), mar atá arna leasú le:

- 11979 H: An Ionstraim i dtaobh coinníollacha aontachais agus oiriúnuithe na gConarthaí – Aontachas na Poblachta Heilléanaí (IO L 291, 19.11.1979, lch.17),

- 11985 I: An Ionstraim i dtaobh coinníollacha aontachais agus oiriúnuithe na gConarthaí – Aontachas Ríocht na Spáinne agus Phoblacht na Portaingéile (IO L 302, 15.11.1985, lch. 23),
- 11994 N: An Ionstraim i dtaobh coinníollacha aontachais agus oiriúnuithe na gConarthaí – Aontachas Phoblacht na hOstaire, Phoblacht na Fionlainne agus Ríocht na Sualainne (IO C 241, 29.8.1994, lch. 21).

Cuirtear an méid seo a leanas le hAirteagal 1(1):

"the Czech Republic:

akciová společnost;

Estonia:

aktsiaselts;

Cyprus:

Δημόσιες εταιρείες περιορισμένης ευθύνης με μετοχές, δημόσιες εταιρείες περιορισμένης ευθύνης με εγγύηση που διαθέτουν μετοχικό κεφάλαιο;

Latvia:

akciju sabiedrība;

Lithuania:

akcinė bendrovė;

Hungary:

részvénytársaság;

Malta:

kumpanija pubblika/public limited liability company,

kumpanija privata/private limited liability company;

Poland:

spółka akcyjna;

Slovenia:

delniška družba;

Slovakia:

akciová spoločnosť".

4. 31989 L 0667 Dara Treoir Déag um Dhlí Cuideachtaí 89/667/CEE ón gComhairle an 21 Nollaig 1989 maidir le cuideachtaí dliteanais theoranta príobháideacha aonchomhalta (IO L 395, 30.12.1989, lch. 40), mar atá arna leasú le:

- 11994 N: An Ionstraim i dtaobh coinníollacha aontachais agus oiriúnuithe na gConarthaí – Aontachas Phoblacht na hOstaire, Phoblacht na Fionlainne agus Ríocht na Sualainne (IO C 241, 29.8.1994, lch. 21).

Cuirtear an méid seo a leanas le hAirteagal 1:

"– in the Czech Republic:

společnost s ručením omezeným;

- in Estonia:

aktsiaselts, osaühing;

- in Cyprus:

Ιδιωτική εταιρεία περιορισμένης ευθύνης με μετοχές ή με εγγύηση;

- in Latvia:

sabiedrība ar ierobežotu atbildību;

- in Lithuania:

uždaroji akcinė bendrovė;

- in Hungary:

korlátolt felelősségű társaság, részvénytársaság;

- in Malta:

kumpanija privata/private limited liability company;

– in Poland:

spółka z ograniczoną odpowiedzialnością;

– in Slovenia:

družba z omejeno odgovornostjo;

– in Slovakia:

spoločnosť s ručením obmedzeným".

## B. CAIGHDEÁIN CHUNTASAÍOCHTA

1. 31978 L 0660: Ceathrú Treoir 78/660/CEE ón gComhairle an 25 Iúil 1978, arna fothú ar Airteagal 54(3)(g) den Chonradh, maidir le cuntais bhliantúla saghsanna áirithe cuideachtaí (IO L 222, 14.8.1978, lch. 11), mar atá arna leasú le:

– 11979 H: An Ionstraim i dtaobh coinníollacha aontachais agus oiriúnuithe na gConarthaí – Aontachas na Poblachta Heilléanaí (IO L 291, 19.11.1979, lch. 17),

– 31983 L 0349: Seachtú Treoir 83/349/CEE ón gComhairle an 13.6.1983 (OJ L 193, 18.7.1983, lch. 1),

- 31984 L 0569: Treoir 84/569/CEE ón gComhairle an 27.11.1992 (IO L 314, 4.12.1992, lch. 28),
- 11985 I: An Ionstraim i dtaobh coinníollacha aontachais agus oiriúnuithe na gConarthaí – Aontachas Ríocht na Spáinne agus Phoblacht na Portaingéile (IO L 302, 15.11.1985, lch. 23),
- 31989 L 0666: Aonú Treoir Déag 89/666/CEE ón gComhairle an 21.12.1989 (IO L 395, 30.12.1989, lch. 36),
- 31990 L 0604: Treoir 90/604/CEE ón gComhairle an 8.11.1990 (IO L 317, 16.11.1990, lch. 57),
- 31990 L 0605: Treoir 90/605/CEE ón gComhairle an 8.11.1990 (IO L 317, 16.11.1990, lch. 60),
- 31994 L 0008: Treoir 94/8/CEE ón gComhairle an 21.3.1994 (IO L 82, 25.3.1994, lch. 33),
- 11994 N: An Ionstraim i dtaobh coinníollacha aontachais agus oiriúnuithe na gConarthaí – Aontachas Phoblacht na hOstaire, Phoblacht na Fionlainne agus Ríocht na Sualainne (IO C 241, 29.8.1994, lch. 21).

- 31999 L 0060: Treoir 1999/60/CE ón gComhairle an 17.6.1999 (IO L 162, 26.6.1999, lch. 65),
- 32001 L 0060: Treoir 2001/65/CE ó Pharlaimint na hEorpa agus ón gComhairle an 27.9.2001 (IO L 283, 27.10.2001, lch. 28).

(a) Cuirtear an méid seo a leanas leis an gcéad fhomhír d'Airteagal 1(1):

"– in the Czech Republic:

společnost s ručením omezeným, akciová společnost;

– in Estonia:

aktsiaselts, osaühing;

– in Cyprus:

Δημόσιες εταιρείες περιορισμένης ευθύνης με μετοχές ή με εγγύηση, ιδιωτικές  
εταιρείες περιορισμένης ευθύνης με μετοχές ή με εγγύηση;

- in Latvia:

akciju sabiedrība, sabiedrība ar ierobežotu atbildību;

- in Lithuania:

akcinės bendrovės, uždariosios akcinės bendrovės;

- in Hungary:

részvénytársaság, korlátolt felelősségű társaság;

- in Malta:

kumpanija pubblika/public limited liability company,

kumpanija privata/private limited liability company,

soċjeta in akkomandita bil-kapital maqsum f'azzjonijiet/partnership en commandite with the capital divided into shares;

- in Poland:

spółka akcyjna, spółka z ograniczoną odpowiedzialnością, spółka komandytowo-akcyjna;

- in Slovenia:

delniška družba, družba z omejeno odgovornostjo, komanditna delniška družba;

- in Slovakia:

akciová spoločnosť, spoločnosť s ručením obmedzeným"

(b) Cuirtear an méid seo a leanas leis an dara fomhír d'Airteagal 1(1):

- "– (p) in the Czech Republic:

veřejná obchodní společnost, komanditní společnost, družstvo;

- (q) in Estonia:

täisühing, usaldusühing;

- (r) in Cyprus:

Ομόρρυθμες και ετερόρρυθμες εταιρείες (συνεταιρισμοί);

- (s) in Latvia:

pilnsabiedrība, komanditsabiedrība;

- (t) in Lithuania:

tikrosios ūkinės bendrijos, komanditinės ūkinės bendrijos;

- (u) in Hungary:

közkereseti társaság, betéti társaság, közös vállalat, egyesülés;

- (v) in Malta:

Soċjeta f'isem kollettiv jew soċjeta in akkomandita, bil-kapital li mhux maqsum f'azzjonijiet meta s-soċji kollha li għandhom responsabbilita' llimitata huma soċjetajiet tat-tip deskritt f'sub paragrafu 1/Partnership en nom collectif or partnership en commandite with capital that is not divided into shares, when all the partners with unlimited liability are partnerships as described in sub-paragraph 1;

- (w) in Poland:

spółka jawna, spółka komandytowa;

- (x) in Slovenia:

družba z neomejeno odgovornostjo, komanditna družba;

- (y) in Slovakia:

verejná obchodná spoločnosť, komanditná spoločnosť "

2. 31983 L 0349: Seachtú Treoir 83/349/CEE ón gComhairle an 13 Meitheamh 1983, arna fothú ar Airteagal 54(3)(g) den Chonradh, maidir le cuntais chomhdhlúite (IO L 193, 18.7.1983, lch. 1), mar atá arna leasú le:

- 11985 l: An Ionstraim i dtaobh coinníollacha aontachais agus oiriúnuithe na gConarthaí – Aontachas Ríocht na Spáinne agus Phoblacht na Portaingéile (IO L 302, 15.11.1985, lch. 23),
- 31989 L 0666: Aonú Treoir Déag 89/666/CEE ón gComhairle an 21.12.1989 (IO L 395, 30.12.1989, lch . 36),

- 31990 L 0604: Treoir 90/604/CEE ón gComhairle an 8.11.1990 (IO L 317, 16.11.1990, lch. 57),
- 31990 L 0605: Treoir 90/605/CEE ón gComhairle an 8.11.1990 (IO L 317, 16.11.1990, lch. 60),
- 11994 N: An Ionstraim i dtaobh coinníollacha aontachais agus oiriúnuithe na gConarthaí – Aontachas Phoblacht na hOstaire, Phoblacht na Fionlainne agus Ríocht na Sualainne (IO C 241, 29.8.1994, lch. 21),
- 32001 L 0060: Treoir 2001/65/CE ó Pharlaimint na hEorpa agus ón gComhairle an 27.9.2001 (IO L 283, 27.10.2001, lch. 28).

Cuirtear an méid seo a leanas le hAirteagal 4(1):

"(p) – in the Czech Republic:

společnost s ručením omezeným, akciová společnost;

(q) – in Estonia:

aktsiaselts, osäühing;

(r) – in Cyprus:

Δημόσιες εταιρείες περιορισμένης ευθύνης με μετοχές ή με εγγύηση, ιδιωτικές εταιρείες περιορισμένης ευθύνης με μετοχές ή με εγγύηση;

(s) – in Latvia:

akciju sabiedrība, sabiedrība ar ierobežotu atbildību;

(t) – in Lithuania:

akcinės bendrovės, uždarosios akcinės bendrovės;

(u) – in Hungary:

részvénytársaság, korlátolt felelősségű társaság;

(v) – in Malta:

kumpanija pubblika/public limited liability company,  
kumpanija privata/private limited liability company,  
soċjeta in akkomandita bil-kapital maqsum f'azzjonijiet/partnership en  
commandite with capital divided into shares;

(w) – in Poland:

spółka akcyjna, spółka z ograniczoną odpowiedzialnością, spółka komandytowo-akcyjna;

(x) – in Slovenia:

delniška družba, družba z omejeno odgovornostjo, komanditna delniška družba;

(y) – in Slovakia:

akciová spoločnosť, spoločnosť s ručením obmedzeným"

## C. CEARTA MAOINE TIONSCLAICHE

### I. AN TRÁDMHARC COMHPHOBAIL

31994 R 0040: Rialachán (CE) Uimh. 40/94 ón gComhairle an 20 Nollaig 1993 maidir leis an trádhmharc Comhphobail (IO L 11, 14.1.1994, lch. 1), mar atá arna leasú le:

- 31994 R 3288: Rialachán (CE) Uimh. 3288/94 ón gComhairle an 22.12.1994 (IO L 349, 31.12.1994, lch. 83).

Cuirtear isteach an tAirteagal seo a leanas i ndiaidh Airteagal 142:

"Article 142a

Provisions relating to the enlargement of the Community

1. As from the date of accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (hereinafter referred to as "new Member State(s)"), a Community trade mark registered or applied for pursuant to this Regulation before the date of accession shall be extended to the territory of those Member States in order to have equal effect throughout the Community.
2. The registration of a Community trade mark which is under application at the date of accession may not be refused on the basis of any of the absolute grounds for refusal listed in Article 7(1), if these grounds became applicable merely because of the accession of a new Member State.

3. Where an application for the registration of a Community trade mark has been filed during the six months prior to the date of accession, notice of opposition may be given pursuant to Article 42 where an earlier trade mark or another earlier right within the meaning of Article 8 was acquired in a new Member State prior to accession, provided that it was acquired in good faith and that the filing date or, where applicable, the priority date or the date of acquisition in the new Member State of the earlier trade mark or other earlier right precedes the filing date or, where applicable, the priority date of the Community trade mark applied for.

4. A Community trade mark as referred to in paragraph 1 may not be declared invalid:

- pursuant to Article 51 if the grounds for invalidity became applicable merely because of the accession of a new Member State,
- pursuant to Article 52(1) and (2) if the earlier national right was registered, applied for or acquired in a new Member State prior to the date of accession.

5. The use of a Community trade mark as referred to in paragraph 1 may be prohibited pursuant to Articles 106 and 107, if the earlier trade mark or other earlier right was registered, applied for or acquired in good faith in the new Member State prior to the date of accession of that State; or, where applicable, has a priority date prior to the date of accession of that State.

## II. DEIMHNITHE FORLÍONTACHA COSANTA

1. 31992 R 1768: Rialachán (CEE) Uimh. 1768/92 ón gComhairle an 18 Meitheamh 1992 maidir le deimhniú forlíontach cosanta a chur ar bun le haghaidh táirgí míochaine (IO L 182, 2.7.1992, lch. 1), mar atá arna leasú le:

– 11994 N: An Ionstraim i dtaobh coinníollacha aontachais agus oiriúnuithe na gConarthaí – Aontachas Phoblacht na hOstaire, Phoblacht na Fionlainne agus Ríocht na Sualainne (IO C 241, 29.8.1994, lch. 21).

(a) Cuirtear isteach an tAirteagal seo a leanas i ndiaidh Airteagal 19:

"Article 19a

Additional provisions relating to the enlargement of the Community

Without prejudice to the other provisions of this Regulation the following shall apply:

(a) (i) any medicinal product protected by a valid basic patent in the Czech Republic and for which the first authorisation to place it on the market as a medicinal product was obtained in the Czech Republic after 10 November 1999 may be granted a certificate, provided that the application for a certificate was lodged within six months of the date on which the first market authorisation was obtained,

- (ii) any medicinal product protected by a valid basic patent in the Czech Republic and for which the first authorisation to place it on the market as a medicinal product was obtained in the Community not earlier than six months prior to the date of accession may be granted a certificate, provided that the application for a certificate was lodged within six months of the date on which the first market authorisation was obtained;
- (b) any medicinal product protected by a valid basic patent and for which the first authorisation to place it on the market as a medicinal product was obtained in Estonia prior to the date of accession may be granted a certificate, provided that the application for a certificate was lodged within six months of the date on which the first market authorisation was obtained or, in the case of those patents granted prior to 1 January 2000, within the six month period provided for in the Patents Act of October 1999;
- (c) an medicinal product protected by a valid basic patent and for which the first authorisation to place it on the market as a medicinal product was obtained in Cyprus prior to the date of accession may be granted a certificate, provided that the application for a certificate was lodged within six months of the date on which the first market authorisation was obtained; notwithstanding the above, where the market authorisation was obtained before the grant of the basic patent, the application for a certificate must be lodged within six months of the date on which the patent was granted;

- (d) any medicinal product protected by a valid basic patent and for which the first authorisation to place it on the market as a medicinal product was obtained in Latvia prior to the date of accession may be granted a certificate. In cases where the period provided for in Article 7(1) has expired, the possibility of applying for a certificate shall be open for a period of six months starting no later than the date of accession;
- (e) any medicinal product protected by a valid basic patent applied for after 1 February 1994 and for which the first authorisation to place it on the market as a medicinal product was obtained in Lithuania prior to the date of accession may be granted a certificate, provided that the application for a certificate is lodged within six months of the date of accession;
- (f) any medicinal product protected by a valid basic patent and for which the first authorisation to place it on the market as a medicinal product was obtained after 1 January 2000 may be granted a certificate in Hungary, provided that the application for a certificate is lodged within six months of the date of accession;
- (g) any medicinal product protected by a valid basic patent and for which the first authorisation to place it on the market as a medicinal product was obtained in Malta prior to the date of accession may be granted a certificate. In cases where the period provided for in Article 7(1) has expired, the possibility of applying for a certificate shall be open for a period of six months starting no later than the date of accession;

- (h) any medicinal product protected by a valid basic patent and for which the first authorisation to place it on the market as a medicinal product was obtained after 1 January 2000 may be granted a certificate in Poland, provided that the application for a certificate is lodged within six months starting no later than the date of accession;
- (i) any medicinal product protected by a valid basic patent and for which the first authorisation to place it on the market as a medicinal product was obtained in Slovenia prior to the date of accession may be granted a certificate, provided that the application for a certificate is lodged within six months of the date of accession, including in cases where the period provided for in Article 7(1) has expired;
- (j) any medicinal product protected by a valid basic patent and for which the first authorisation to place it on the market as a medicinal product was obtained in Slovakia after 1 January 2000 may be granted a certificate, provided that the application for a certificate was lodged within six months of the date on which the first market authorisation was obtained or within six months of 1 July 2002 if the market authorisation was obtained before that date."

(b) In Airteagal 20, athuimhrítear an mhír aonair mar ‘1’ agus cuirtear an mhír seo a leanas léi:

"2. This Regulation shall apply to supplementary protection certificates granted in accordance with the national legislation of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Poland, Slovenia and Slovakia prior to the date of accession."

2. 31996 R 1610: Rialachán (CE) Uimh. 1610/96 ó Pharlaimint na hEorpa agus ón gComhairle an 23 Iúil 1996 maidir le deimhniú forlíontach cosanta a chur ar bun le haghaidh táirgí cosanta plandaí (IO L 198, 8.8.1996, lch. 30).

(a) Cuirtear isteach an tAirteagal seo a leanas i ndiaidh Airteagal 19:

"Article 19a

Provisions relating to the enlargement of the Community

Without prejudice to the other provisions of this Regulation, the following shall apply:

- (a) (i) any plant protection product protected by a valid basic patent in the Czech Republic and for which the first authorisation to place it on the market as a plant protection product was obtained in the Czech Republic after 10 November 1999 may be granted a certificate, provided that the application for a certificate was lodged within six months of the date on which the first market authorisation was obtained,

- (ii) any plant protection product protected by a valid basic patent in the Czech Republic and for which the first authorisation to place it on the market as a plant protection product was obtained in the Community not earlier than six months prior to the date of accession may be granted a certificate, provided that the application for a certificate was lodged within six months of the date on which the first market authorisation was obtained;
- (b) any plant protection product protected by a valid basic patent and for which the first authorisation to place it on the market as a plant protection product was obtained in Estonia prior to the date of accession may be granted a certificate, provided that the application for a certificate was lodged within six months of the date on which the first market authorisation was obtained or, in the case of those patents granted prior to 1 January 2000, within the six month period provided for in the Patents Act of October 1999;
- (c) any plant protection product protected by a valid basic patent and for which the first authorisation to place it on the market as a plant protection product was obtained in Cyprus prior to the date of accession may be granted a certificate, provided that the application for a certificate was lodged within six months of the date on which the first market authorisation was obtained; notwithstanding the above, where the market authorisation was obtained before the grant of the basic patent, the application for a certificate must be lodged within six months of the date on which the patent was granted;

- (d) any plant protection product protected by a valid basic patent and for which the first authorisation to place it on the market as a plant protection product was obtained in Latvia prior to the date of accession may be granted a certificate. In cases where the period provided for in Article 7(1) has expired, the possibility of applying for a certificate shall be open for a period of six months starting no later than the date of accession;
- (e) any plant protection product protected by a valid basic patent applied for after 1 February 1994 and for which the first authorisation to place it on the market as a plant protection product was obtained in Lithuania prior to the date of accession may be granted a certificate, provided that the application for a certificate is lodged within six months of the date of accession;
- (f) any plant protection product protected by a valid basic patent and for which the first authorisation to place it on the market as a plant protection product was obtained after 1 January 2000 may be granted a certificate in Hungary, provided that the application for a certificate is lodged within six months of the date of accession;

- (g) any plant protection product protected by a valid basic patent and for which the first authorisation to place it on the market as a plant protection product was obtained in Malta prior to the date of accession may be granted a certificate. In cases where the period provided for in Article 7(1) has expired, the possibility of applying for a certificate shall be open for a period of six months starting no later than the date of accession;
- (h) any plant protection product protected by a valid basic patent and for which the first authorisation to place it on the market as a plant protection product was obtained after 1 January 2000 may be granted a certificate in Poland, provided that the application for a certificate is lodged within six months starting no later than the date of accession;
- (i) any plant protection product protected by a valid basic patent and for which the first authorisation to place it on the market as a plant protection product was obtained in Slovenia prior to the date of accession may be granted a certificate, provided that the application for a certificate is lodged within six months of the date of accession, including in cases where the period provided for in Article 7(1) has expired;

(j) any plant protection product protected by a valid basic patent and for which the first authorisation to place it on the market as a plant protection product was obtained in Slovakia after 1 January 2000 may be granted a certificate, provided that the application for a certificate was lodged within six months of the date on which the first market authorisation was obtained or within six months of 1 July 2002 if the market authorisation was obtained before that date."

(b) In Airteagal 20, athuimhrítear an mhír aonair mar "1" agus cuirtear an mhír seo a leanas léi:

"2. This Regulation shall apply to supplementary protection certificates granted in accordance with the national legislation of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Malta, Poland, Slovenia and Slovakia prior to the date of accession."

### III. DEARAÍ COMHPHOBAIL

32002 R 0006: Rialachán (CE) Uimh. 6/2002 ón gComhairle an 12 Nollaig 2001 maidir le dearáí Comhphobail (IO L 3, 5.1.2002, lch. 1)

Cuirtear isteach an tAirteagal seo a leanas i ndiaidh Airteagal 110:

"Article 110a

Provisions relating to the enlargement of the Community

1. As from the date of accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (hereinafter referred to as "new Member State(s)"), a Community design protected or applied for pursuant to this Regulation before the date of accession shall be extended to the territory of those Member States in order to have equal effect throughout the Community.
2. The application for a registered Community design may not be refused on the basis of any of the grounds for non-registrability listed in Article 47(1), if these grounds became applicable merely because of the accession of a new Member State.
3. A Community design as referred to in paragraph 1 may not be declared invalid pursuant to Article 25(1) if the grounds for invalidity became applicable merely because of the accession of a new Member State.

4. The applicant or the holder of an earlier right in a new Member State may oppose the use of a Community design falling under Article 25(1)(d), (e) or (f) within the territory where the earlier right is protected. For the purpose of this provision, "earlier right" means a right acquired or applied for in good faith before accession.

5. Paragraphs 1, 3 and 4 above shall also apply to unregistered Community designs. Pursuant to Article 11, a design which has not been made public within the territory of the Community shall not enjoy protection as an unregistered Community design."