IN-DEPTH

Intellectual Property

GREECE



LEXOLOGY

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In-Depth: Intellectual Property (formerly The Intellectual Property Review) provides a global overview of the forms of intellectual property coverage available in each jurisdiction, along with an update of the most consequential recent developments. It offers deep insight into the key legal and commercial issues that arise when seeking to obtain and enforce IP rights – including patents, copyright, designs, trademarks and trade secrets.

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LEXOLOGY

Explore on **Lexology**

Greece

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Introduction

In Greece, intellectual property legislation comprises copyright and related rights, and industrial property.

Copyright and related rights are protected under Law No. 2121/1993 on copyright, related rights and cultural matters (Copyright Law). The Copyright Law is, to a large extent, influenced by the French legal doctrine of *droit d'auteur* and protects both the author's moral and economic rights as two independent bundles of rights.

Moral rights apply to the personal connection of authors with their work and are the rights of divulgation, paternity, integrity, access and withdrawal.

Economic rights are generally associated with the commercial exploitation of a certain work of authorship and are the rights of recordal, reproduction, translation, adaptation, distribution, rental, public performance, broadcasting and presentation of the work to the public, and the import of copies. Public lending of works of authorship is allowed to all kinds of libraries, in principle at a reasonable fee, which is payable by these libraries to the collective management organisations of the beneficiaries.[1]

Under the Copyright Law, moral rights cannot, in principle, be waived or transferred, but they can be inherited. However, authors are generally entitled to assign (in effect transfer) or license their economic rights in respect of a certain work of authorship. Authors reserve the right to revoke such licence or transfer if their works remain exploited within a reasonable amount of time, and are entitled to receive comprehensive information on the exploitation of their works (transparency obligation) at least once a year.[2]

Basic examples of protected works are musical compositions, theatrical plays, artworks, architectural works, photographs, works of applied arts, illustrations and audiovisual works, as well as computer programs and databases.

Related rights are those deriving from or associated with performers, producers of phonograms and audiovisual works, broadcasting organisations and publishers of printed matter. The protection regime of the related rights is based on the concept of authorisation, which is the exclusive and absolute right of rights holders to allow or prohibit certain acts specified in the law in a restrictive manner. However, in certain circumstances, related rights may constitute only a legal obligation for payment of an equitable remuneration to the rights holder, in the sense that no authorisation needs to be sought. Law No. 4481/2017 sets out the principles of collective management of copyright and related rights in Greece.

Industrial property matters in Greece are primarily governed by Law No. 4679/2020, Law No. 1733/1987, Law No. 259/1997 and Law No. 146/1914, which set out the legal prerequisites and protection eligibility criteria for the following registrable and non-registrable items:

1. trademarks;
2. patents and utility models;
3. industrial designs; and
4. distinguishing elements such as company name, distinctive title, trade name and the external appearance or look and feel of a product, including its marks or other

indicia (the "product get-up"), which are mainly protected under unfair competition law.

Greece has ratified the major international intellectual property conventions, including the Berne Convention, the Rome Convention, the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), the World Intellectual Property Organization (WIPO) Copyright Treaty, the WIPO Performances and Phonograms Treaty and the World IP Geneva Convention.

Year in review

Copyright and related rights

In Greece, a work of authorship is protected by copyright upon its creation, without the need for a filing or other registration formality. Despite the lack of registration or filing requirements, the Hellenic Copyright Organisation (HCO) introduced a timestamp digital service (available at www.timestamp.gr) in 2019, which enables authors to certify the date of creation of their work. The copyrighted work is recorded on an online platform operated by the HCO against payment of a symbolic monetary amount, which depends on the size of the file uploaded.

Law No. 4761/2020 amended Law No. 4481/2017 on collective management of copyright and related rights and multi-territorial licensing in musical works for online use in the internal market and introduced provisions for the enhanced protection of copyright and related rights over the internet. With this amendment, the scope of Law No. 4481/2017 has been extended and provisions have been introduced concerning copyright collection societies and independent copyright management entities established abroad and interested in operating in Greece. Article 66E of the Copyright Law was also amended to expand the right to initiate an administrative notice and takedown procedure for unlicensed online transmission of events that are covered by national or international TV broadcasting if the online transmission takes place simultaneously with the event. In addition, a collective management organisation is entitled to enter into a licensing agreement, extendable to authors who have not authorised it to represent them, under certain conditions.[3]

Law 4996/2022, which transposed in the Greek legal order the European Parliament and the Council-issued Directives (EU) 2019/790 on copyright in the digital single market and 2019/789 on copyright in online television and radio programmes, introduced several new provisions, mainly concerning:

1. the application of the country of origin principle to ancillary online services of broadcasting organisations to facilitate the clearance of rights;
2. the reasonable remuneration of authors in cases of reproduction for private use when such is carried out with technical means, such as by computers, smartphones and tablets;
3.

exceptions to copyright protection principally relating to text and data mining for the purposes of scientific research by research organisations or cultural heritage institutions;

4. the conditions for the use of out-of-commerce works for cross-border uses by cultural heritage institutions as well as the relevant publicity measures;
5. a negotiation mechanism for the purpose of making available audiovisual works on video on demand services;
6. the author's appropriate remuneration in the case of retransmission of television and radio programmes;
7. the right to remuneration equal to a percentage of the press publishers' annual revenues in the case of press publications used online;
8. the use of protected content by online content-sharing service providers; and
9. other matters specifically mentioned in other sections of this chapter.

In 2024, Law 5103/2024 made amendments to Copyright Law and other sectors related to it, such as intangible cultural heritage, while Law 5105/2024 introduced provisions for further support of the cinematographic, audiovisual and creative sector in Greece, as well supportive provisions for modern culture.

The main changes introduced with Law 5103/2024 include provisions concerning, inter alia: (1) the adoption of incentives for increasing the broadcasting of informative and non-informative Greek-language songs on radio stations included in the relevant register of the National Council for Radio and Television (NCRTV); (2) the introduction of an obligatory minimum percentage of 40% Greek-language songs to be performed publicly in certain public areas of hotels and complex tourist accommodation, shopping centres, casinos and public transport, as well as in passenger waiting areas at airports and ports; and (3) the setting up of an electronic database of Greek-language songs, orchestral music performances of Greek-language songs and orchestral music of Greek authors and recordings recorded in the Greek territory, as well as a web application for access to the database.

With regard to Law 5105/2024, the newly introduced amendments to article 35 extend the applicability of additional payments by broadcasting organisations (additional fee of at least 50% of the initially agreed amount for the first retransmission and an additional 20% for each subsequent transmission) to every transmission made by a different broadcaster, provided that the organisation has the same shareholders or consolidates under the same parent entity with the broadcasting organisation that first transmitted and retransmitted the work. Additionally, article 49 of this Law is also amended to provide for the right to equitable remuneration concerning sound carriers, containing a recording, used, either independently or integrated in an audiovisual work, for transmission by any means (eg, electromagnetic waves, satellites and cables or for the purposes of presentation to the public).

In 2025, Law 5179/2025 amended article 65A, significantly expanding the system of administrative sanctions to encompass end users who unlawfully access or disseminate unlicensed audiovisual and digital content. The amendments introduced a graduated scale of administrative fines, enhancing proportionality and deterrence. Implementation

of these measures was completed through Joint Ministerial Decision No. 358834/2025, which set out the procedures for the imposition and collection of administrative fines. The same law also substantially revised article 66E, strengthening the non-judicial online enforcement mechanism by clarifying the standing of right holders and their legal successors and by reinforcing available enforcement tools. These enhancements include dynamic website blocking, coordinated action among multiple competent authorities, and an expanded procedural mandate for the Internet Infringement Notification Committee, thereby improving its effectiveness in combating online piracy. Furthermore, Law 5179/2025 amended articles 43 and 46 of Law 4481/2017 concerning the examination of infringement notifications submitted to the Hellenic Copyright Organization (HCO). The amendments introduced a mandatory processing fee to discourage manifestly unfounded claims and streamlined investigatory powers by consolidating them within HCO, with the aim of improving procedural efficiency and consistency. In parallel, Law 5221/2025 amended article 66, updating the framework of criminal sanctions for copyright infringement to better reflect contemporary digital realities. Separately, Joint Ministerial Decision No. 14023/2025 established a structured framework for the collection of copyright levies arising from public lending activities conducted by state bodies and local government entities.

Trademarks

Law 4679/2020 transposed Directive (EU) 2015/2436[4] into Greek law and introduced various changes compared to the previous regime, including:

1. the limitation of the scope of certain trademark rights for the purpose of safeguarding and enhancing competition;
2. new competences of civil courts, which are now also competent to assess the validity of a trademark (previously awarded to administrative courts);
3. the acquiescence limitation (now possible also in trademark invalidity actions); and
4. amendments in official fees.

The authority and responsibility for handling trademark applications and related processes lies with the Hellenic Industrial Property Organisation (OBI), pursuant to Joint Ministerial Decision No. 48793/2022.

Hellenic Industrial Property Academy

Law 4512/2018 and Presidential Decree No. 31/2019 introduced the establishment of the Hellenic Industrial Property Academy, which aims to develop a national system of education, training and accreditation for individuals wishing to earn the title of certified patent attorney.

Trade secrets

Law 4605/2019 transposed in Greek law Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how

and business information (trade secrets) against their unlawful acquisition, use and disclosure.

Industrial designs

In September 2023, Law 5051/2023 was adopted, by virtue of which Greece ratified the Geneva Act (1999) of the Hague Agreement Concerning the International Registration of Industrial Designs (Geneva Act). The Geneva Act does not affect the protection accorded to industrial designs by national legislation[5] but rather sets out the technicalities of the submission of an international application for protection before WIPO. The competent authority for the application of Law 5051/2023 and subsequently the Geneva Act is the OBI.

Obtaining protection

Protection of copyright

The Copyright Law protects works of authorship associated with any original literary and artistic or scientific intellectual creation, expressed in any form. There is no specific definition for originality in the Copyright Law. However, legal literature supports that the originality of each work is understood as deriving from the personal contribution of the author, and as a result possesses a certain degree of individuality that distinguishes it from works of intellect of everyday life.

In the case of multiple authors, the Copyright Law distinguishes between works of joint authorship and collective and composite works. The term "work of joint authorship" designates any work that is the result of the direct collaboration of two or more authors; the term "collective work" designates any work created through the independent contribution of several authors acting under the intellectual direction and coordination of one person; and the term "composite work" refers to a work that is composed of parts created separately.

On the duration of copyright, the general rule is that protection lasts for the life of the author and continues thereafter for 70 more years. Specific duration rules might apply for certain types of works, such as works of joint authorship, music compositions, anonymous or pseudonymous works and audiovisual works. Specifically for visual artwork, when its term of protection has expired, anything resulting from its reproduction is exempted from copyright or related rights protection, unless it satisfies by itself the originality criterion.[6]

As regards copyright exploitation arrangements, the Copyright Law requires an agreement in writing and generally prohibits an assignment or licensing for the totality of the author's future works or undertakings (to the benefit of the assignee or licensee) that intend to capture exploitation means that did not exist, or were unknown, at the time the agreement was made.[7] To this end, a contract adjustment mechanism was recently also introduced, according to which authors are entitled to additional remuneration when the initially agreed one turns out to be disproportionately low compared to all the subsequent relevant revenues derived from the exploitation of the works.[8]

The Copyright Law recognises a resale right (also known as *droit de suite*) by which authors may claim royalties on their works resold by art market professionals.

The general rule for works of authorship created by employees is that the initial copyright holder is the employee. Unless an agreement to the contrary exists, the author's economic rights, which are necessary for fulfilling the purpose of the employment contract, are automatically transferred to the employer.

Special types of copyright works (software and databases)

The Copyright Law provides ad hoc protection to software, as this is considered a literary work. The ideas and principles on which the elements of a certain piece of software are based are not protected. Software is considered an original work of authorship if it constitutes a personal creation of its author. In cases where the software is created by an employee in the course of execution of an employment contract or following the instructions of their employer, the economic rights in the software are automatically transferred to the employer unless otherwise agreed in writing. Recently, the Copyright Law was amended to provide for explicit copyright protection of computer aid design files, provided that they contain source code.[9]

Databases, which, owing to the selection and arrangement of their contents, constitute an author's intellectual creation, are also protected under the Copyright Law and are considered *sui generis* rights.

Protection of industrial property

Trademarks

In Greece, trademarks are protected by Law 4679/2020 (the Trademark Law). The Trademark Law recognises national, European and international trademarks as valid in the Greek territory.

A national trademark registered with the Greek Trademark Registry is a sign, which might be words, a person's name, design, letters, numbers, colours, shape or packaging of the product, or sounds, provided that the sign can distinguish the products or services of an undertaking from the products or services of another undertaking and can be represented in the Trademark Registry in a manner that enables competent authorities and the public to clearly and precisely identify the type of protection afforded to its proprietor.

The right to a trademark is acquired by registration following an application filed with the Trademark Registry, which is part of the Ministry of Development and Investments, and the payment of filing fees of €100 for one class applied for in the electronic application[10] and €20 for each additional class.

The examination and approval of a trademark application normally takes between two and four months, following which a period of three months is allowed by law for the filing of opposition by third parties.

Provided that no oppositions are filed, the trademark is registered with the Trademark Registry, following which its proprietor has the right to use it; to affix it to the respective

goods, their packaging and other material relevant to their sale and promotion; to characterise the provided services; and to use it in electronic, audiovisual and social media. Greece follows the Nice Agreement (as amended and in force) on classification for goods and services, which groups products into 45 classes (Classes 1–34 include goods and Classes 35–45 include services).[11] Collective and certification marks are explicitly protected under the Trademark Law.

An important change implemented by the recently enacted Trademark Law, which aims at simplifying and expediting the trademark filing process, is that the Trademark Registry is no longer entitled to reject trademark applications in cases of the prior existence of resembling trademarks. Instead, the trademark examiner notifies the owners of prior, potentially affected trademarks about the application under examination so that they may file an opposition. The trademark examiner may, however, reject a trademark application on absolute grounds, such as for lack of distinctive character, descriptiveness, public order and other grounds relating to fundamental rules set out in the Trademark Law.

Patents

Inventions are protected by Greek Law 1733/1987 on technology transfer, inventions and technological innovation (Patent Law). A patent is granted by means of an administrative procedure that is carried out before the OBI. The OBI grants an absolute and exclusive right for holding and exploiting a certain patent to the inventor.

The legal prerequisites for granting patent protection are novelty, an inventive step and susceptibility to industrial application.

An invention can relate to a product or a production method in the sense that it must provide a solution to a technical problem. This solution must concern either the production or the improvement of a product or to the procedure for its production. An invention may also relate to an industrial application.

Surgical and therapeutic methods for the human or animal body, plant varieties, animal species and their biological production methods (except for microbiological methods and products derived by use of these methods) are not patentable in Greece.

The process for filing a patent starts with the filing of an application with the OBI including:

1. the name (or trade name if a legal entity), nationality, residence or seat, and address of the applicant;
2. a description of the invention and identification of one or more matters for which patent protection is sought (claims); and
3. a request for the granting of a patent.

Following the filing of a patent application, the OBI conducts an assessment of the fulfilment of formalities and examines only if any substantial omissions exist, without conducting a prior art search, meaning a search of the existing body of knowledge in the respective technical field.

The applicant must submit any missing drawings or other supporting documentation and must correct any errors in the documents within four months of the filing date. Normally,

unless the application is rejected, the OBI grants a patent certificate within 12 to 15 months of a filing.

The duration of a patent is 20 years following the date of the filing of the respective application. Third parties with a legal interest are entitled to challenge the validity of a patent before the court.

Patent applications consist of a filing fee of €50, a patent granting fee of €150 and an annual fee of €20 payable after the third year onwards. The annual fee increases to €600 per year for the 15th year of protection onwards and to €1,100 for the 20th year, which is the year of expiry of the patent.

Applicants eligible for a patent can be the inventor or the legal beneficiary of the invention, such as the employer in cases of inventions devised by employees.

The Patent Law distinguishes between service inventions and dependent inventions created by employees. A service invention normally derives from the execution and in the context of a contract for development of inventive activity entered into between the employer and employee. A dependent invention is a non-service invention that is created by an employee during their employment by using the employer's equipment, technical or other means, or information.

As a general rule, an employee's invention becomes the property of the employee, unless it qualifies as a service invention and becomes the property of the employer, or a dependent invention, in which case it becomes the joint property of the employee by 60% and of the employer by 40%. In the case of service inventions, an employee is entitled to claim equitable remuneration (in addition to the salary earned) if the invention is significantly beneficial for the employer.

Utility model certificates

A utility certificate is granted by the OBI with a view to protecting a utility model. This particular certificate awards an intermediate stage of protection between a patent and a design. A utility certificate is issued for any three-dimensional object with a defined shape and form, such as a tool, an instrument, a device, a utensil or an accessory, that qualifies as new, industrially applicable and capable of providing a solution to a technical problem.

According to settled case law, utility models should be new creations (ie, beyond state of the art) of the human mind, included in a tangible movable object, capable of giving a solution to a technical problem, and proposed as novel and industrially applicable, in the same manner as inventions. In a utility model, the inventive step is not required to be of the same level as in the case of an invention, for which a patent is granted. In this respect, inventions with a minimum or no inventive step that do not qualify as patents may qualify for a utility certificate.

The validity period of a utility certificate is seven years from filing. If the application for a utility model meets minimum requirements, the OBI issues a utility certificate within six months of the date of the application. The OBI does not examine the fulfilment of the legal requirements of novelty and industrial implementation, which are the responsibility of the applicant. The application fee is €50, and a fee of €100 is payable for the award of the certificate.

Industrial designs

Presidential Decree No. 259/1997[12] applies to design applications, whether national or international, claiming protection in Greece (Industrial Design Law).

The legal prerequisites for national protection of industrial designs are that a design should be new and must have an individual character. In this respect, a design qualifies as new if, by the time of the filing, no identical design has been made available to the public. Identical designs are considered those that, if compared, have only insignificant diverse characteristics. A design qualifies as having an individual character if the global impression it gives to an informed user differs from the impression given to the user by another design made available to the public before the date of the filing.

Protection of industrial designs relates to the outer appearance of a product. Features of the appearance of a product that relate solely to its technical function are not design-protected.

The filing for an industrial design is made before the OBI. The application must contain full contact details of the applicant (as in a patent), a description of the object or objects to which the design is intended to be incorporated, a graphic or photographic representation of the design, and an appointment of a service process agent accompanied by a declaration of submission to the jurisdiction of the Greek courts if the applicant does not reside in Greece. This is also necessary for patents and utility models.

A registered design is valid for five years from filing, renewable for consecutive five-year terms, up to a maximum of 25 years. According to the Greek Design Law, a registered design can additionally qualify for protection under the Copyright Law if the legal prerequisites of this Law are also fulfilled.

Within four to six months of the application, the OBI issues a design registration certificate without examining the substantial elements of the application. The applicant is entitled to file for the registration of up to 50 designs of the same category. The application fee is €130 for the first design, increasing by €20 for each additional design applied for.

EU designs qualify for protection in Greece as either unregistered or registered designs, provided that they are made available to the public under the respective conditions set out in Regulation (EC) No. 6/2002.

All industrial property applications can be submitted to the OBI by electronic means.

Other registered rights

Under Greek law, plant varieties[13] and semiconductor topographies[14] can also be registered, although protection of these items is rarely sought in the Greek market.

Enforcement of rights

The holder of an intellectual property right is entitled to launch civil, criminal or administrative measures against an infringer. This section focuses on protection sought in the context of civil proceedings, which are more widely used in practice. Directive

2004/48/EC[15] on the enforcement of intellectual property rights has been implemented in Greece through various legislative acts.

Copyright

The Copyright Law sets out various provisional and ordinary enforcement measures and sanctions available in cases of copyright and related rights infringement. Any disputes concerning the transparency obligation as well as any claims for additional remuneration may be submitted to mediation, if the parties agree, while any contractual provision that excludes mediation is invalid, the invalidity of which can only be invoked by the author.[16]

Injunctive relief

Injunctive measures are available in cases of urgency or to prevent an imminent risk.[17] Where there is a probable infringement, a rights holder is entitled to file a petition for injunctive measures before the competent single member first instance court, requesting a cease-and-desist order against the infringing actions.

Part of this process would normally be a provisional court order for cessation of the infringement and abstention in the future, a seizure of the allegedly infringing goods and, under certain circumstances, a seizure of the assets of the infringer. An important aspect of these proceedings is that injunctive measures can be taken in the absence of the infringing party (*ex parte* proceedings) if the plaintiff can invoke and substantiate irreparable harm.

Interim measures proceedings do not result in a ruling on the merits of the dispute, and a deadline not exceeding 60 days[18] is set for the plaintiff to file a lawsuit in the context of ordinary proceedings. If this is not filed, any provisional measures granted will cease to apply.

Ordinary proceedings: process

A beneficiary may seek judicial protection by means of ordinary civil proceedings. Following the filing of a lawsuit, the parties must submit their pleadings and counterarguments (rebuttals) within approximately three to four months (specific deadlines apply) and a hearing is scheduled after 45 days, which can be extended owing to court workload. Normally, litigants or their attorneys are not obliged to physically attend the hearing because all arguments are submitted to the court in writing. A first instance judgment is normally expected to be issued within eight to 12 months of the hearing.

Ordinary proceedings: claims

By a lawsuit filed in the context of ordinary proceedings, the plaintiff normally requests the recognition of his other rights, the cessation of the infringement and abstention in the future. A claim would normally include the removal of the infringing goods from the market or their destruction. The plaintiff is entitled to indemnification for monetary and moral damages, the award of which generally requires the occurrence of an unlawful act,

culpable behaviour by the infringer, damage and a causal link between the damage and the infringing act.

For an act to qualify as unlawful it must have interfered with the inherent moral or economic powers of the author or rights holder and must have taken place without the author's permission. A violation of the Copyright Law qualifies as an unlawful act. Culpability is required only if the aggrieved party intends to file and support a claim for damages.[19]

In view of the difficulty in quantifying the damages associated with these disputes, the Copyright Law provides that the indemnification amount cannot be less than twice the remuneration normally or lawfully payable in the context of the commercial exploitation of the infringed right.

Alternatively to the above indemnification, the plaintiff may claim the amount by which the defendant became richer, or the profit made by the defendant, as a result of their infringing behaviour.

Infringements of copyright and related rights might also entail criminal charges or the imposition of administrative sanctions and fines.

Trademarks

The enforcement of rights in cases of trademark infringement are similar to copyright enforcement as both are governed by the respective provisions of Directive 2004/48/EC (transposed in Greek law by the Trademark Law).

Injunctive relief

A trademark owner is entitled to request the cease and desist of the infringing action by means of a provisional court order. The court may order the provisional (precautionary) seizure of the infringing goods and, where appropriate, of the materials used for the production or distribution of the goods.

Injunctive measures can be taken in the absence of the infringing party if the plaintiff can invoke and substantiate irreparable harm. In this case, however, the defendant must be notified of the injunctive order within three working days of its execution; otherwise, any enforcement of the respective court order will be null and void.

Ordinary proceedings

A trademark owner may also request a court order for cease and desist of the infringing behaviour without having to demonstrate damage or the culpability of the defendant. If the infringing behaviour is culpable (negligence or wilful misconduct), the plaintiff may also claim compensation for pecuniary and moral damage.

Disputes for trademark infringement are heard before the single member court of first instance regardless of the amount subject to dispute, unless concurrent with other claims, such as unfair competition practice, in which case a multi-member court is competent to hear the dispute.

Proceedings may be suspended if an application for revocation or invalidity of the allegedly infringed trademark has been filed with the National Trademark Office, provided that the application precedes the service of the lawsuit.

The recently enacted Law No. 4679/2020 has introduced innovative defences that can be raised by a defendant in the case of a trademark infringement, such as an objection on non-usage of the trademark by the plaintiff if the infringed trademark remained unused for five years before the filing of the lawsuit and a counterclaim by the defendant seeking the revocation or invalidity of the allegedly infringed trademark.

Patents and designs

A patent holder enjoys similar protection to the owner of intellectual property rights (ie, the entitlement to injunctive measures and ordinary proceedings requesting a cease-and-desist order, restitution of the damage suffered by the plaintiff or restitution of the benefits unlawfully obtained by the patent infringer). The same rights are awarded to any exclusive licensee of the patent, as well as a patent applicant where the patent is still pending. In the latter case, the court may suspend the hearing until the patent is granted.

Instead of the destruction of the infringing goods, a court may, following a request by the plaintiff, order that the goods are handed over to the plaintiff for compensatory purposes.

The same rights and defences are awarded for the enforcement of design rights.[20] A defendant in a design infringement dispute may counterclaim invalidity of the design owing to lack of novelty or lack of individual character if an existing design that is identical or does not cause a different overall impression to the one allegedly infringed has been previously disclosed to the public.

Competent courts' specialisation and appeals

Intellectual property disputes (ordinary proceedings) are heard before specialised sections of the first instance courts of Athens, Piraeus and Thessaloniki.

Judgments on intellectual property disputes are subject to an appeal, which must be filed within 30 days of the date of service to the litigants of the first instance court judgment. This does not apply for litigants residing outside Greece, for which the deadline is extended to 60 days.

Outlook and conclusions

In the field of copyright protection, new provisions have been introduced recently (in November 2022) with the enactment of Law 4996/2022, but these changes have not yet been tested in legal practice and, more importantly, before courts. The effectiveness of these provisions and whether they will improve protection of the related rights and their holders, as well as their impact on the stakeholders of the concerned industries, remains to be seen.

On trademark protection, Greek courts now implement the provisions of the recently enacted Law No. 4679/2020. It remains to be seen how trademark protection will evolve

in the local market and whether trademark disputes will be resolved in a more efficient and expedient manner.

Endnotes

1 As per Article 5A of Law 2121/1993, introduced by virtue of Article 34 of Law 4996/2022. ^ Back to section

2 As per Article 15A and 15B of Law 2121/1993, introduced by virtue of Article 22 and 25 of Law 4996/2022. ^ Back to section

3 As per Article 35(7) of Law 2121/1993, amended by virtue of Article 3 of Law 4996/2022. ^ Back to section

4 Directive (EU) 2015/2436 of the European Parliament and of the Council of 16 December 2015 to approximate the laws of the Member States relating to trademarks.- ^ Back to section

5 As per Article 2 of the Geneva Act. ^ Back to section

6 As per Article 31A of Law 2121/1993, introduced by virtue of Article 17 of Law 4996/2022. ^ Back to section

7 Copyright Law, Articles 13(5) and 14. ^ Back to section

8 As per Article 34A of Law 2121/1993, introduced by virtue of Article 16 of Law 4996/2022. ^ Back to section

9 As per Article 2 of Law 2121/1993, modified by virtue of Article 53 of Law 4961/2022. ^ Back to section

10 Hard-copy applications are also acceptable and subject to a slightly higher fee, currently €120. ^ Back to section

11 www.mindev.gov.gr/24890-2. ^ Back to section

12 Presidential Decree No. 259/1997, Implementing Provisions of the Hague Agreement Concerning the International Deposit of Industrial Designs as ratified with Law No. 2417/1996 and Provisions Concerning the National Title of Protection. ^ Back to section

13 Law No. 1564/85 on plant propagating material, as amended by Law No. 2325/95. ^ Back to section

14 Presidential Decree No. 45/1991 on legal protection of topographies of semiconductor products in compliance with Council Directive 87/54/EEC of 16 December 1986 as supplemented by Decisions 87/532/EEC and 88/311/EEC. ^ Back to section

15 Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights. ^ Back to section

16 As per Article 39A of Law 2121/1993, introduced by virtue of Article 24 Law 4996/2022. ^ Back to section

17 Greek Civil Procedure Code, Article 682ff. ^ Back to section

18 Pursuant to the recent changes (enacted on 1 January 2022) of the Civil Procedure Code. ^ Back to section

19 Pursuant to Judgment 484/2020 of the Supreme Court (*Areios Pagos*). ^ Back to section

20 Article 28 of Presidential Decree No. 259/1997. ^ Back to section

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