

Confidentiality of Communication between Clients and their Patent Advisors

Croatia

National aspects

Croatian legislation provides for confidentiality of any kind of communication between clients and their patent advisors/representatives/attorneys. The provisions under the Croatian legislation concerning duties of patent representatives address the issue with regard to responsibilities of protection of professional confidentiality. These rules are provided for in the [Statute of Croatian Association of Patent and Trademark Attorneys](#) (Official Gazette, 91/2013).

Pursuant to the Statute:

- Members of the Associations shall preserve the confidentiality of any information considering service acquired from a client or otherwise while rendering the service, particularly during representation. The representative's secret refers to all the information, documents, recordings, computer data, pictures and similar materials and deposits kept in the representative's office;
- Members of the Associations shall exercise reasonable care to ensure that the confidentiality of such information be preserved by other persons working in his or her Office;
- Confidences or information acquired in the course of rendering service to a client must not be used in the proceedings or otherwise to the client's disadvantage. A representative shall not use such confidences to the disadvantage of either one or more interested members who are in a status relationship with the client, or against them;
- A representative shall preserve the representative's confidentiality permanently;
- In order to preserve the representative's secret, a representative shall not disclose any information about the matters entrusted to him or her, even upon the termination of a case;
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- Revelation of the representative's secret is permitted only upon the clear consent of the client or if it is necessary for the defense of the representative.

Based on data available, there are no reported court cases with respect to the client-patent advisor privilege.

Cross-border aspects

The national legislation of the Republic of Croatia does not provide any provisions concerning cross-border aspects of confidentiality of communications between clients and patent advisors.