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ORGANIZATION

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PATENT COOPERATION TREATY (PCT)

Common Quality Framework for International Search and Preliminary Examination

SUPPLEMENTAL REPORT ON QUALITY MANAGEMENT SYSTEMS

prepared by BRAZILIAN NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY (INPI-BR)

This supplemental report relates to the quality management system established by this Office as set forth in our report under PCT/GL/ISPE section 21.29 on october 31, 2010.

As a result of our most recent internal review under the International Search and Preliminary Examination Guidelines paragraphs 21.25-21.28, this Authority has made modifications to its QMS as discussed below.

The modifications are given with reference to the sections of the revised template for responses to PCT/GL/ISPE Chapter 21.29 to which the changes relate.

The Authority should describe any changes made to its QMS making reference to the specific sections of the previous main report, and/or making reference to any supplemental report(s) under paragraph 21.30 compiled in accordance with this template.
If no changes have been made to its QMS since the last report, the Authority should indicate such.

INTRODUCTION (PARAGRAPHS 21.01 - 21.03)

If applicable, the Authority may at this point indicate any recognized normative reference or basis for their quality management system besides Chapter 21, such as ISO 9001, under the heading "Normative Reference for QMS"
For example: "Normative reference for QMS: ISO 9001, EQS (European Quality System)"
Each authority should then provide at least the information indicated in the descriptive boxes, under the following headings

The acronym of the General Coordination of Quality was changed to CQUAL.

1. LEADERSHIP AND POLICY (PARAGRAPHS 21.04 TO 21.09)

21.04 Confirm that the following are clearly documented, and that this documentation is available internally:
(a) The quality policy established by top management.
(b) The roles and names of those bodies and individuals responsible for the QMS, as delegated by top management.
(c) An organisational chart showing all those bodies and individuals responsible for the QMS.

21.04 (a) Quality Policy

The quality policy, approved by top management of the INPI-Br, is defined in the Strategic Planning, which is the highest level document of the Institute, and is easily accessible to examiners and users in visible places.

In this document, established and approved in August 2010, it is presented the vision of the Institution:

VISION: "The INPI-Br should become one of the Intellectual Property Offices of reference in the world, with regards to efficiency and quality of its various services."

Hence the seven guidelines established in the Strategic Planning, so that it can achieve a condition lined up with the INPI-Br Vision, the first one of these being ***"Ensuring Quality and Efficiency in Examination and Registration I.P. Rights."***

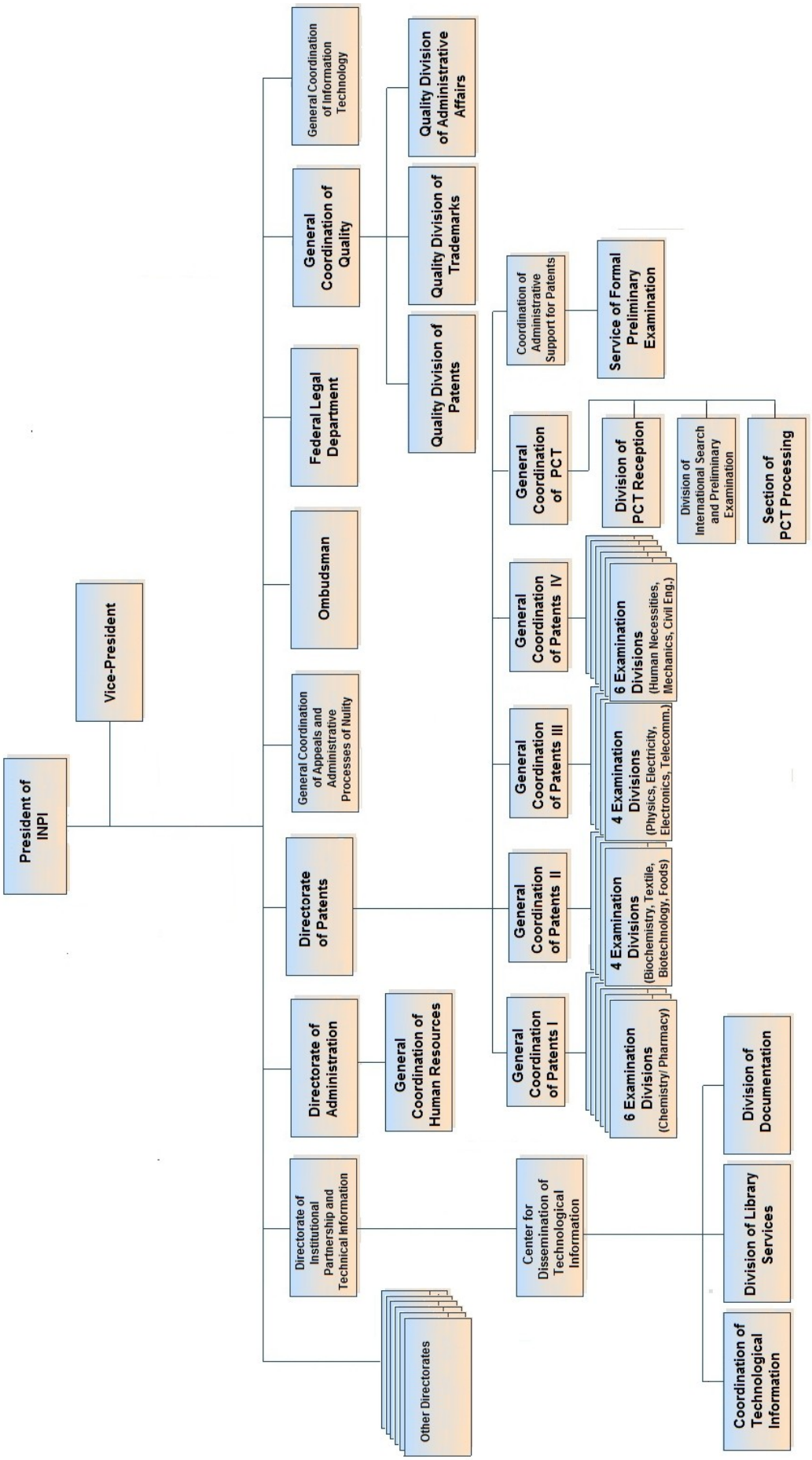
Seventy-three specific projects were established, aiming at consolidating the guidelines, which are guided by 18 strategic objectives, among which are included the deployment of a Quality Management throughout the entire INPI-Br, increased operational efficiency and updating the guidelines and the examination procedures.

The assumptions of Strategic Planning are available on the computerized system, in frames distributed into specific points of the Institute and through the awareness of the staff.

INPI-BR QUALITY POLICY

- **Strive for excellence in service delivery through continuous process improvement, to increase the satisfaction of citizens, users and customers.**
- **Adopt a Quality Management System that ensures products and services in accordance to standards established by law and by international treaties and agreements.**
- **Develop an ethical and responsible use of knowledge and Intellectual Property System to meet society needs.**
- **Train and develop human resources, adapting the infrastructure and work environment to the various activities to ensure skills development with excellence.**

21.04 (c) Organizational Chart



21.05 Indicate (e.g. by means of a table) the extent of compatibility between the Authority's QMS and the requirements of Chapter 21 of these International Search and Preliminary Examination Guidelines. Alternatively, indicate where the Authority is not yet compliant with these requirements.

Chapter 21 requirement			Extent of compliance		
			full	part	no
21.04	(a)	Quality policy available	✓		
	(b)	Identified roles and names for QMS responsibility	✓		
	(c)	Organisational chart available	✓		
21.05		Established compatibility of QMS with Chapter 21	✓		
21.06	(a)	Mechanisms to ensure effectiveness of the QMS		✓	
	(b)	Control of the continual improvement process		✓	
21.07	(a)	Communication of management about this standard to staff	✓		
	(b)	The PCT Guidelines are in line with the Authority's QMS	✓		
21.08	(a)	Management reviews take place	✓		
	(b)	Quality objectives are reviewed	✓		
	(c)	Communication of quality objectives throughout the Authority	✓		
21.09	(a)	Performance of a yearly internal review of the QMS in/to		✓	
	(b)	(i) determine the extent to which the QMS in based on Chapter 21		✓	
		(ii) determine the extent to which S&E complies with PCT Guidelines		✓	
	(c)	an objective and transparent way		✓	
	(d)	using input incl. information according paragraph 21.17		✓	
	(e)	recording the results		✓	
21.10		Assurance to monitor and adapt to actual workload	✓		
21.11	(a)	Infrastructure in place to ensure that a quantity of staff	✓		
		(i) sufficient to deal with the inflow of work	✓		
		(ii) which maintains tech. qualifications to S&E in all technical fields	✓		
		(iii) which maintains the language facilities to understand languages according to Rule 34	✓		

Chapter 21 requirement			Extent of compliance		
			full	part	no
	(b)	Infrastructure to provide a quantity of skilled administrative staff	✓		
		(i) at a level to support the technically qualified staff	✓		
		(ii) for the documentation records	✓		
21.12	(a)	(i) Ensuring appropriate equipment to carry out S&E	✓		
		(ii) Ensuring documentation accord. to Rule 34	✓		
	(b)	(i) Instructions to help staff understand and act accord. the quality criteria and standards		✓	
		(ii) Instructions to follow work procedures accurately and they are kept up-to-date.		✓	
21.13		(i) L&D program to ensure and maintain necessary skills in S&E	✓		
		(ii) L&D program to ensure awareness of staff to comply with the quality criteria and standards.	✓		
21.14	(a)	System in place for monitoring resources required to deal with demand	✓		
	(b)	System in place for monitoring resources required to comply with the quality standards in S&E	✓		
21.15	(a)	Control mechanisms to ensure timely issue of S&E reports	✓		
	(b)	Control mech. regarding fluctuations in demand and backlog	✓		
21.16	(a)	Internal quality assurance system for self assessment	✓		
		(i) for compliance with S&E Guidelines	✓		
		(ii) for channelling feedback to staff	✓		
	(b)	A system for measurement of data and reporting for continuous improvement	✓		
	(c)	System for verifying the effectiveness of actions taken to correct deficient S&E work	✓		
21.17	(a)	Contact person helping identify best practice between Authorities	✓		
	(b)	Contact person fostering continual improvement	✓		
	(c)	Contact person providing for effective comm. with other Authorities for feedback and evaluation	✓		

Chapter 21 requirement			Extent of compliance		
			full	part	no
21.18	(a)	(i) Appropriate system for handling complaints	✓		
		(ii) Appropriate system for taking preventive/corrective actions	✓		
		(i) Appropriate system for offering feedback to users✓	✓		
	(b)	(i) A procedure for monitoring user satisfaction & perception	✓		
		(ii) A procedure for ensuring their legitimate needs and expectations are met	✓		
	(c)	Clear and concise guidance on the S&E process for the user	✓		
	(d)	Indication where and how the Authority makes its quality objectives publicly available	✓		
21.19		Established comm. with WIPO and desig. + elected offices	✓		
21.20		QMS of Authority clearly described (e.g. Quality Manual)	✓		
21.21	(a)	Documents making up the Quality Manual have been prepared and distributed	✓		
	(b)	Media available to support the Quality Manual	✓		
	(c)	Document control measures are taken	✓		
21.22	(a)	Quality policy of the Authority and commitment to QMS	✓		
	(b)	Scope of QMS	✓		
	(c)	Organizational structure and responsibilities	✓		
	(d)	the documented processes are carried out in the Authority	✓		
	(e)	Resources available to carry out processes	✓		
	(f)	a description of the interaction between the processes and the procedures of the QMS.	✓		
21.23	(a)	Records which documents are kept and where they are kept	✓		
	(b)	Records of results of management review	✓		
	(c)	Records about training, skills and experience of staff	✓		
	(d)	Evidence of conformity of processes	✓		
	(e)	Results of reviews of requirements relating to products	✓		
	(f)	Records of the S&E process carried out on each application	✓		
	(g)	Record of data allowing individual work to be tracked	✓		
	(h)	Record of QMS audits	✓		

Supplemental Report on Quality Management Systems by Brazilian National Institute of Industrial Property (INPI-Br)
November 30, 2011

Chapter 21 requirement			Extent of compliance		
			full	part	no
	(h)	Record of QMS audits	✓		
	(i)	Records on actions taken re. non-conforming products	✓		
	(j)	Records on actions taken re. corrective actions	✓		
	(k)	Records on actions taken re. preventive actions	✓		
	(l)	Records referring to search process documentation	✓		
21.24	(a)	(i) Recording of the databases consulted during search		✓	
		(ii) Recording of keywords, combination of words and truncations during search		✓	
		(iii) Recording of the languages used during search		✓	
		(iv) Recording of classes and combinations thereof consulted during search	✓		
	(b)	Records about other information relevant to the search	✓		
	(c)	(i) Records about limitation of search and its justification	✓		
		(ii) Records about lack of clarity of the claims	✓		
		(iii) Records about lack of unity	✓		
21.25		Report on its own internal review processes		✓	
21.26-21.28		Additional information on further inputs to its internal reviews		✓	
21.29		Initial report called for by paragraph 21.19	✓		

21.06 Indicate with reference to the organizational chart those bodies and mechanisms management uses to ensure:
(a) the effectiveness of the QMS; and
(b) that the process of continual improvement progresses.

The General Coordination of Quality (CQUAL) is linked directly to the President of the INPI-Br.

Its operation is through coordination of activities of critical analysis, conducted by working groups formed “ad hoc” made in all areas of the INPI-Br.

The Working Groups of the areas under the PCT meet regularly with top management in order to measure the effectiveness of the process of continuous improvement. These meetings serve as a basis for measuring, analyzing and interpreting the results of processes, detecting whether the users's needs are being met and identifying the points of possible improvements in the quality of services provided.

5. COMMUNICATION (PARAGRAPHS 21.17 TO 21.19)

21.18 Communication and guidance to users:
Describe the system in place for monitoring and using customer feedback including at least the following elements:
(a) An appropriate system for
(i) handling complaints and making corrections;
(ii) taking corrective and/or preventative action where appropriate; and
(iii) offering feedback to users.
(b) A procedure for:
(i) monitoring user satisfaction and perception; and
(ii) for ensuring their legitimate needs and expectations are met.
(c) Clear, concise and comprehensive guidance and information to users (particularly unrepresented applicants) on the search and examination process, giving details of where it is to be found e.g. link to Authority's web site, guidance literature.
(d) An indication of where and how the Authority makes its quality objectives publicly available for the users.

21.18 Communication and guidance to users

There are several communication channels available for a direct contact between examiners and applicants or their respective representatives, through telephone, personal interview, mail, fax, e-mail and/or Ombudsman.

Applicants and/or Legal Representatives may also apply for an interview or meeting with the Examiner, as long as it is requested with sufficient prior notice. All examiners are well trained and prepared to provide applicants/legal representatives the necessary consultancy regarding their queries.

In addition, Guidance to applicants on Intellectual Property, including information on the search and examination process is provided by various means, such as the INPI-Br Website (www.inpi.gov.br) and some training seminars organized in Cooperation with WIPO. It is being developed by INPI-Br a User's Guideline to explain how to file patent applications through the PCT System.

INPI-Br website is frequently updated to give information concerning notices, announcements, events, as well as courses and activities related to Intellectual Property. Also, all the important information related to the Institute is made available, including a session about most frequently asked questions (FAQ) related to different areas of INPI-Br, as well as all Brazilian laws and normative acts referred to Industrial Property.

INPI-Br has improved the Trademark electronic filling system *"e-marcas 2". A* similar system for the patent area, *"e-patent"*, is already under internal test and expected to be fully operational within one year.

Within the Center of Divulgation, Documentation and Technological Information, a Section of Searches makes use of an evaluation handed out to our clients, as an important instrument of services improvement. Each received evaluation is treated individually and, in case of dissatisfaction, the problem is identified and fixed. Along with that, a further contact with the client is established by either e-mail or telephone for any necessary clarification.

8. INTERNAL REVIEW (PARAGRAPHS 21.25 TO 21.28)

21.25 Explanatory note: The Authority should report on its own internal review arrangements. These reviews determine the extent to which it has established a QMS based on the model of Chapter 21 and the extent to which it is complying with the QMS requirements and the Search and Examination Guidelines. The reviews should be objective and transparent to demonstrate whether or not those requirements and guidelines are being applied consistently and effectively and should be undertaken at least once a year. With reference to point 21.08 of this template, the Authority may provide additional information on its internal review arrangements under this section if it so wishes.

21.26-21.28 These arrangements are reported according to this template in Section 1, above, at points 21.04 - 21.09. The Authority may provide additional information on further inputs to its internal reviews under this section, if it so wishes

21.25 to 21.28 Internal Review and Continuous Improvement

For continuous improvement in the process of the PCT, the Working Group developed two checklists:

- examiner´s checklist (see Annex A);
- reviewer's checklist (see Annex B);

Annex A
Examiner´s checklist

MINISTÉRIO DO DESENVOLVIMENTO, INDÚSTRIA E COMÉRCIO EXTERIOR
INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Diretoria de Patentes

DIRPA	FORMULÁRIO DA QUALIDADE	Código DIRPA/FQ.001	
LISTA DE VERIFICAÇÃO PARA ELABORAÇÃO DO RELATÓRIO DE BUSCA INTERNACIONAL (ISR) E OPINIÃO ESCRITA (WO)		Revisão Nº 00 Data 00/00/00	Página Nº 1/1

Depósito Internacional nº: _____

Título: _____

Pesquisador: _____

Item	Atividade	Conformidade	
		Sim	Não
1	O pedido é de sua área tecnológica?		
2	O pedido está completo e apto para ser pesquisado? (caso necessário, a listagem de sequências em meio digital - Form. 225)		
3	O pedido tem prioridade?		
4	O pedido tem unidade de invenção? (caso necessário, preencher Form. 206, Cap.10 do Guia PCT)		
5	O texto está suficientemente claro? (Form. 210 Quadro II; Form. 237 Quadro III)		
6	A matéria está prevista para exclusões? (Regra 39; Form. 210 Quadro II; Form. 237 Quadro III)		
7	Utilizou as bases mínimas necessárias do Trabalho? (Regra 34)		
8	Preencheu na 1ª folha do Form. 210 o Item 6, relativo ao número das páginas e desenhos?		
9	Indicou a categoria especial do documento e destacou a parte relevante de cada referência apresentada no Campo C do Form. 210?		
10	Preencheu o rodapé do Campo C do Form. 210? (Relativo aos documentos adicionais e familias de patentes)		
11	Citou no Quadro V do Form. 237 somente documentos utilizados para discussão dos critérios estabelecidos no Art. 33 do PCT?		
12	Discutiu os critérios do Art. 33 do PCT para cada reivindicação ou grupo de reivindicações em particular? (Quadro V, Form. 237)		
13	Citou os artigos do PCT no Quadro V do Form. 237?		
14	Foram discutidas as irregularidades do documento no Quadro VI do Form. 237?		
15	Foram discutidos os critérios de clareza e precisão do pedido no Quadro VI do Form. 237?		

Annex B
Reviewer's checklist

MINISTÉRIO DO DESENVOLVIMENTO, INDÚSTRIA E COMÉRCIO EXTERIOR
INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
Diretoria de Patentes

DIRPA	FORMULÁRIO DA QUALIDADE	Código DIRPA/FQ. 002
LISTA DE VERIFICAÇÃO PARA REVISÃO DO RELATÓRIO DE BUSCA INTERNACIONAL (ISR) E OPINIÃO ESCRITA (WO)	Revisão Nº 00 Data 000000	Página Nº 1/3

Ajusta

Pedido Internacional Nº: _____

Título: _____

Revisor: _____

Item	Atividade	Conformidade Sim	Conformidade Não
1	A classificação dada é adequada?		
2	O pedido foi adequadamente redigido? (apresenta unidade de invenção, claro e não excluídos – Regra 6.1)		
3	Foi emitido o Form. 205? (Unidade de Invenção)		
4	O depositante solicitou a pesquisa das demais unidades de invenção?		
5	A estratégia de busca foi adequadamente realizada? (campo de busca, bases, limitações de datas e palavras-chaves)		
6	Os documentos citados são relevantes para a matéria pleiteada?		
7	Os documentos citados foram corretamente identificados (X, Y, A e etc)? (Form. 210)		
8	Foi identificada a necessidade de realização de uma nova pesquisa para o pedido, caso dos documentos citados no ISR tenham sido considerados irrelevantes?		
9	O pedido apresenta unidade de invenção? (unidade)		
10	Caso tenham sido identificadas mais de uma unidade de invenção, os grupos de invenções foram corretamente identificados?		
11	Os critérios de novidade, atividade inventiva e aplicação industrial foram discutidos para todas as reivindicações e/ou grupo de reivindicações? (Form. 210)		
12	A opinião escrita (WO) em relação à novidade, atividade inventiva e aplicação industrial atende os Artigos e Regras do PCT? (Form. 237)		
13	A opinião escrita foi objetiva, empregando opiniões relevantes e claras? (Form. 237 – Quadro V) (O texto não foi redigido na forma de exigências)		
14	Foram apresentadas as irregularidades contidas no documento (caso existam)? (Form. 237 – Quadro VII)		
15	Foram identificados problemas de clareza e precisão ao longo do pedido? (Form. 237 – Quadro VIII)		