



**FEDERAL PUBLIC SERVICE  
MINISTRY OF ECONOMY  
BRAZILIAN NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY  
DIRECTORATE FOR PATENTS, COMPUTER PROGRAMS AND TOPOGRAPHIES OF INTEGRATED CIRCUITS**

February 28, 2020

**Note C. 8940**

**Standing Committee on the Law of Patents<sup>1</sup>**

**Brazil**

**Updated Information on International Worksharing and Collaborative Activities for  
Search and Examination of Patent Applications**

At beginning of 2016, the Brazilian National Institute of Industrial Property (INPI) has joined the Patent Prosecution Highway (PPH) as a pilot program to expedite patent examination. The first cooperation was made with the United States Patent and Trademark Office (USPTO), considering the patent applications related to oil and gas industry. Since then, the Brazilian PPH Program has been expanding to embrace other technological fields and other IP Offices and Regional Institutions, as PROSUR (IP Offices of Latin America).

On December 1, 2019, INPI launched a unified PPH Program based on Resolution No. 252 of 2019, which establishes the rules and procedures of the Patent Prosecution Highway (PPH) within the Brazilian INPI, so called PPH Pilot Project. All the previous PPH pilot programs were revoked on November 30, 2019.

The new procedure aims to simplify procedures for both user and INPI and further expands the potential of agreements. In addition to unifying and harmonizing the procedures for all PPH programs in force in Brazil, it will also remove the need for normative settlements for each

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<sup>1</sup> The answers to this Note have been provided on behalf of Brazil by Brazilian National Institute of Industrial Property (INPI).



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cooperation agreement signed, making the process faster and easier. Moreover, the Memorandum of Understanding (MOU) signed with the partners allows further improvements if necessary.

The main change promoted by this new program is the elimination of the previous technological field restriction. Now patent applications classified in any technological field can participate in PPH. In addition, the PPH Pilot Project may receive up to 400 (four hundred) participation requests per annual cycle, regardless of the granting of the priority procedure, and will extend until termination of the administrative process of all patent processes with priority granted.

All earlier partners have been informed that the ongoing agreements would be terminated on November, 30 and also invited to join the new PPH Pilot Program. At this moment, the Danish Patent Office (DKPTO), the offices of the PROSUR countries (Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Nicaragua, Panama, Paraguay, Peru, Dominican Republic, and Uruguay), the American Patent and Trademark Office (USPTO), the Japanese Patent Office (JPO), the European Patent Office (EPO), the China National Intellectual Property Administration (CNIPA), the Austrian Patent Office (APO), the Swedish Patent and Registration Office (PRV) and the United Kingdom Intellectual Property Office (UKIPO) have joined the PPH Pilot Program.

To date, 75 requests have been submitted in the new PPH Program. Most of PPH requests (almost 72 percent) are related to patent applications of IPC classes A (Human Necessities), B (Performing Operations; Transporting) and C (Chemistry; Metallurgy).

More details on the project can be found at: <http://www.inpi.gov.br/pph>