

## CIRCULAR LETTER # 084/2019

**Re.: BPTO RESOLUTION No. 230, dated June 4, 2019 and BPTO/DIRPA RULING INSTRUCTION No. 01 dated June 14, 2019**

*Subjects: (a) Priority Proceedings for Patent Processes  
(b) Administrative Procedures concerning the evaluation of priority proceeding applications for patent processes in Brazil*

### **Dear Clients and Associates,**

Please be informed that, on June 4, 2019, BPTO/BR Resolution # 239 was approved, concerning priority proceedings for national and/or international patents (filed via PCT) when included in the following situations:

- (i) Patent applications which applicants are elderly natural persons;
- (ii) Patent applications which applicants are natural persons who are physically or mentally handicapped, or have serious illnesses;
- (iii) Which applicants are individual entrepreneurs, microcompanies or small-sized companies;
- (iv) Which applicants require patent applications which granting is a condition to receive resources, or which object is being reproduced and/or commercialized without his/her authorization, or which protection has been initially required in Brazil;
- (v) Its object is originated from green technology;
- (vi) Its object is of public interest or national emergency.

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**Subject: Priority Examination of Patent Applications**

Below please find the conditions established for acceptance of a “Priority Examination”:

- (i) The respective Patent Application has been filed within at least 18 (eighteen) months or already includes a publication anticipation requirement;
- (ii) Its Substantive Technical Examination has been required and paid for;
- (iii) No division or amendment to the patent application has been voluntarily presented from the date of application to the decision on the priority proceeding.

REMARK: The present resolution will become valid from July 1<sup>st</sup>, 2019. Concerning green technologies/patent classes, our list (WIPO) is available for you, among others.

Therefore, in case your patent applications, or those of your represented parties, contain said specifications, we would ask you to kindly contact our technical and administrative area immediately ([adm-central@patcorp.com.br](mailto:adm-central@patcorp.com.br) or [info@patcorp.com.br](mailto:info@patcorp.com.br)), who will send you appropriate guidance on the regularization protocols for your patent portfolio with BPTO/BR.

Campinas/São Paulo, June 24, 2019.

/Carlos E. Borghi Fernandes/CEO