

# BRAZIL'S UPDATES

## INTELLECTUAL PROPERTY – AUGUST/ SEPTEMBER 2019

### ***BPTO and WIPO host a debate on IP national policies***



The Brazilian Patent and Trademark Office (BPTO) and the World Intellectual Property Organization (WIPO) will host, on October 21, between 10:30 and 12:00, a debate on National Industrial Property Policies.

Presented by the director for WIPO's Regional Office for Latin America and the Caribbean, Ms. Maria Beatriz Amorim Borher, the course will be held at WIPO's regional office in Brazil, and will cover the development of national strategies and policies for industrial property from the priorities and specificities of each country.

### ***Judge rejects provisional decision against the Patent Backlog Combat Plan***



A decision by the federal judge Ms. Marcia Maria Nunes de Barros, from the 13th Federal Court of Rio de Janeiro, published on September 11, rejected the application for a provisional decision for the Court Injunction nº 5051373-49.2019.4.02.5101/RJ, filed by SINDISEP-RJ/AFINPI/ANPESPI, to suspend the effects of BPTO/PR Resolutions 240 and 241, dated July 3, 2019, and the Execution Rules DIRPA/PR nº 01 to 06, dated 2019, instituting the Patent Backlog Combat Plan. In a preliminary examination, the judge rejected the allegations from the associations, to whom the rules would be violating the principles of legality, lack of personality, efficiency and morality, also violating the judicial situation as established with the employees concerning their performance compensation.

In the proceedings, the following entities manifest themselves as contributing agents for the judgement: the Pharmaceutical Research Industry Association (INTERFARMA), Brazilian Intellectual Property Association (ABPI), Sao Paulo Intellectual Property Association (ASPI), Brazilian Industrial Biotechnology Association (ABBI) and the National Industry Confederation (CNI).

### ***BPTO publishes two new resolutions on trademark proceedings***



BPTO published on the [Industrial Property Magazine \(RPI\) nº 2540 last Tuesday \(September 10\) two new resolutions concerning trademark registration application proceedings.](#)

[BPTO Resolution nº 248/2019 regulates trademark registrations in multiclass system and will enter in force on October 2, 2019.](#)

[The petition concerning this registration will be made available on March 2, 2020. BPTO Resolution nº 247/2019 regulates trademark registrations under the Madrid Protocol and will enter into force on October 2, 2019.](#)

The Resolutions were published after the end of the [public inquiries performed between May 14 and June 27, 2019](#). On September 3, BPTO published two other Resolutions on trademark registration procedures: nº 245/2019, concerning the trademark registration in co-ownership; and nº 244/2019, covering the division of trademark registrations and registration applications.

### ***BPTO establishes cooperation with Singapore IP Office***



BPTO has sent a mission to Singapore to gather information on the industrial property (IP) scenario in that country, besides signing two cooperation agreements. On August 27, the BPTO president, Mr. Cláudio Vilar Furtado, signed with the IPOS (the Singaporean IP Office) director, Mr. Daren Tang, an understanding memo establishing the exchange of experience in areas such as stimulation to innovation and competition promotion; human resource management, finance and quality control; guidance to final users and the private sector; public policies and others. On that same date, Mr. Vilar took part of the IP Week global forum, with the presentation “Emerging markets: the innovation and IP playbook”.