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ORDINANCE / BRPTO / #29, JUNE 14, 2021

Changes BRPTO's PR Rule #239/19 to allow expedited examination of patent applications of Covid-19 related technology, within the scope of the BRPTO.

The PRESIDENT and the DIRECTOR OF PATENTS, COMPUTER PROGRAMS AND INTEGRATED CIRCUIT TOPOGRAPHIES of the BRAZILIAN PATENT AND TRADEMARK OFFICE, in the exercise of their assignments provided for in Articles 17, subsection XI, and 19 of the BRPTO's Bylaws Structure, approved by Decree #8854, of September 22, 2016, and subsection XII of Article 152 of the bylaws, approved by MDIC Ordinance #11, of January 27, 2017,

DECREE:

Article 1: BRPTO's Ordinance #247, of June 22, 2020, published in BRPTO's Official Gazette #2582, of June 30, 2020, now comes into force with the following changes:

"Article 13. The patent application having subject matter related to pharmaceutical products and processes and to equipment and/or materials for use in health for the diagnosis, prophylaxis and treatment of Covid-19 falls within the "Covid-19 treatment technology" category.

§ 1 The request for expedited examination must be filed by December 31, 2021, by the applicant, patentee or third party, individual or corporate, and contain a brief indicating how the subject matter of the process relates to the diagnosis, prophylaxis of the population and/or treatment of Covid-19 patients.

§ 2 The Board of Directors of Patents, Computer Programs and Integrated Circuit Topographies (DIRPA) may regulate the filing and examination process and even temporarily suspend, in whole or in part, in the interest of celerity of service, the request for expedited examination for patent applications to which the caput of this article refers to."

Article 2 This Ordinance enters into force on July 1, 2021.

CLÁUDIO VILAR FURTADO
PRESIDENT