



# WORLD INTELLECTUAL PROPERTY ORGANIZATION

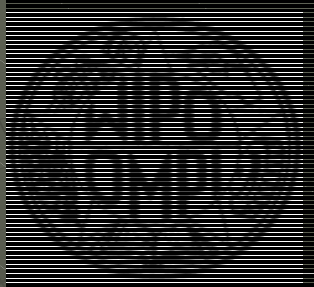
## interregional forum on sme and intellectual property

Moscow, Russia - May 23rd, 2002

The role of Government in enhancing the growth and development of SME through a better use of the Intellectual Property System

Overview of the Policy framework, institutional arrangements, program and activities in Brazil

Carlos Roberto Liboni,  
*1st Vice* Presidente Fiesp

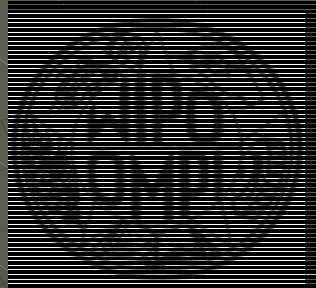


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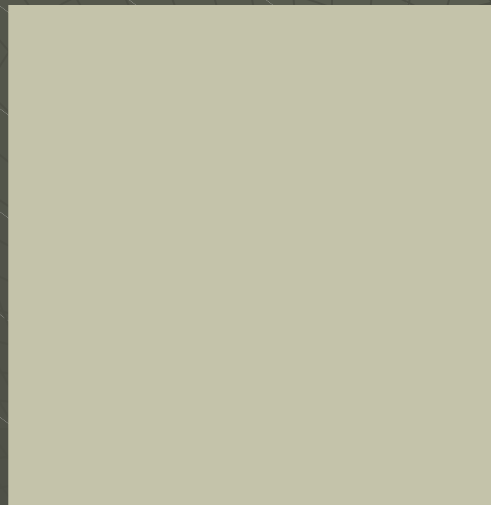
# agenda

- Brazilian Economy
- Brazilian Patents Tradition
- Challenges
  - Industry
  - Potential
- IP: A new policy
  - Official Programs
  - Sao Paulo State Programs
  - FIESP Programs



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## Brazilian Economy world's 10th



Population:

170 millions

GNP

850 billions US\$

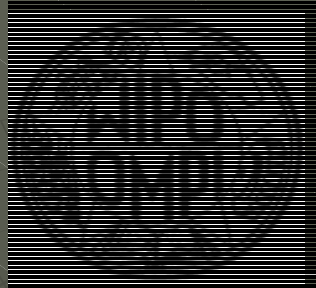
Area

8,5 millions Km<sup>2</sup>

= Sweden + Spain

Brazilian GNP

= Denmark + Belgium + Netherlands



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## Brazilian Economy: a brief idea of size

- ❑ 2<sup>nd</sup> biggest market for executive jets and helicopters;
- ❑ 2<sup>nd</sup> for microwave oven;
- ❑ 2<sup>nd</sup> for celular phones;
- ❑ 2<sup>nd</sup> for fax machines;
- ❑ 2<sup>nd</sup> for diving and climbing equipment

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## Brazilian Economy: a brief idea style

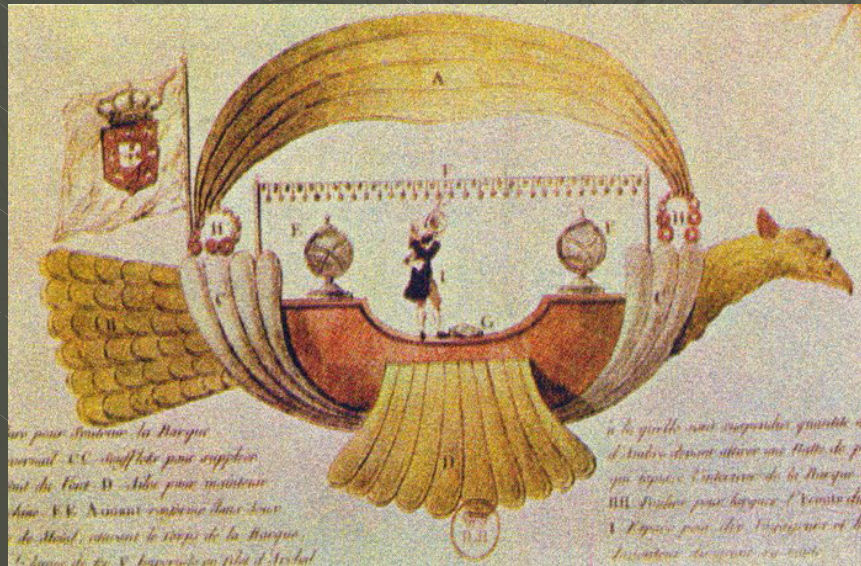
- ❑ 8,9 million Internet users
  - ❑ 95% of IRS Taxes declaration by mail.
- ❑ 1,2 billion USS in CD's market
  - ❑ 5<sup>th</sup> biggest market worldwide

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## Brazil patents tradition



In 1709, the King, João V, granted to Bartolomeu de Gusmão, the first Brazilian patent for a "air-walking-object".

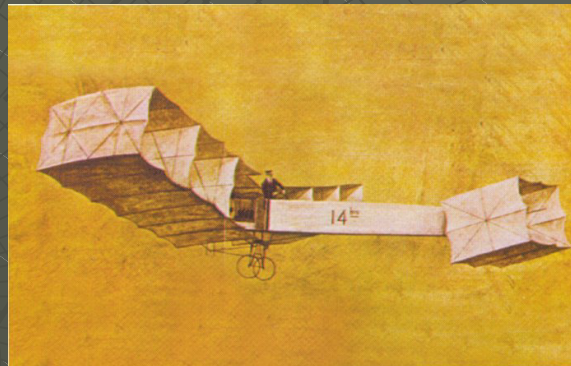
"air-walking-object".



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## Brazilian creativity

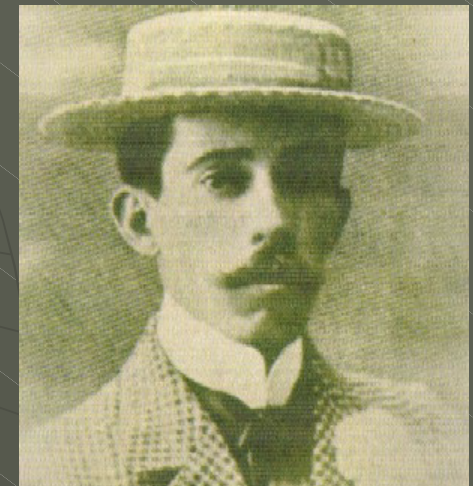
*Alberto Santos Dumont  
achieved the first  
officially observed,  
powered flight on  
October 23, 1906, in  
Paris*



*"Alberto Santos Dumont*



*Cartier created the first  
wristwatch following  
an idea of his friend  
A.Santos Dumont.*





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A big potential

Brazil has a big challenge for IP in several areas, like Genomics, where it is placed on top of the technology.

The New York Times

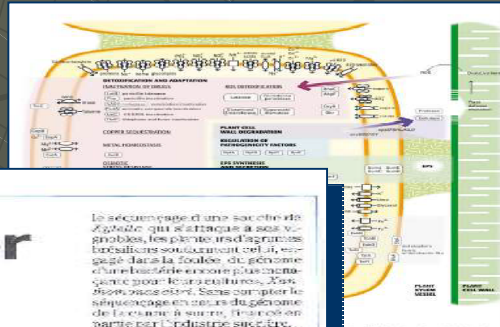
Science Times

Brazil Bounding Forward As Genomics Powerhouse

By LAUREY BERTIA  
SÃO PAULO, Brazil — In a remote laboratory in the heart of the Amazon rainforest, a team of scientists is working on the genome of a rare plant. The work is part of a larger effort to map the genomes of various species in the region, a project that has become a major focus of research in Brazil. The genome project is part of a larger effort to map the genomes of various species in the region, a project that has become a major focus of research in Brazil.

Model for Research Rises in Developing World

By LAUREY BERTIA  
SÃO PAULO, Brazil — In a remote laboratory in the heart of the Amazon rainforest, a team of scientists is working on the genome of a rare plant. The work is part of a larger effort to map the genomes of various species in the region, a project that has become a major focus of research in Brazil.



ACTUALITÉS

UN PAYS ÉMERGENT À L'AVANT-GARDE DE LA GÉNOMIQUE

Le Brésil, pionnier de la génomique

Une bactérie et deux hommes ont donné à l'Etat de São Paulo une renommée mondiale pour le séquençage des génomes. L'histoire d'une formidable réussite économique et scientifique.

La bactérie, *Streptococcus pneumoniae*, est apparue en 1882, dans le message des chaînes de millions d'années dans l'état de São Paulo. Le premier expert en génomique du monde est né à São Paulo. Les premiers experts en génomique du monde sont nés à São Paulo. Les premiers experts en génomique du monde sont nés à São Paulo.

En 1998, des chercheurs brésiliens ont été les premiers à séquencer le génome d'une bactérie. Les Brésiliens sont désormais devant les autres dans ce domaine. Les Brésiliens sont désormais devant les autres dans ce domaine.

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La séquençage d'une bactérie de *Agrobacterium* qui s'attaque à ses végétaux, les plantes, est d'importance fondamentale. Le séquençage du génome d'une bactérie est encore plus important pour les agriculteurs. Les Brésiliens sont désormais devant les autres dans ce domaine.

**nature**  
Citrus pathogen sequenced

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## Brazilian Biodiversity

55,000 different types of plants  
22% of the world's known species.



*Report of the Conservation International 1997*

Together with others 17  
countries, Brazil has 70% of  
the animal and vegetal species  
of the planet





## Brazilian Fitotherapy

- ❑ 2/3 of the worldwide population use medicinal plants
- ❑ The amount of medicines patented by the Brazilian pharmaceutical industry is absolutely non relevant.

### Possible medicinal species

Brazil	10,000
México	3,000
Germany	100

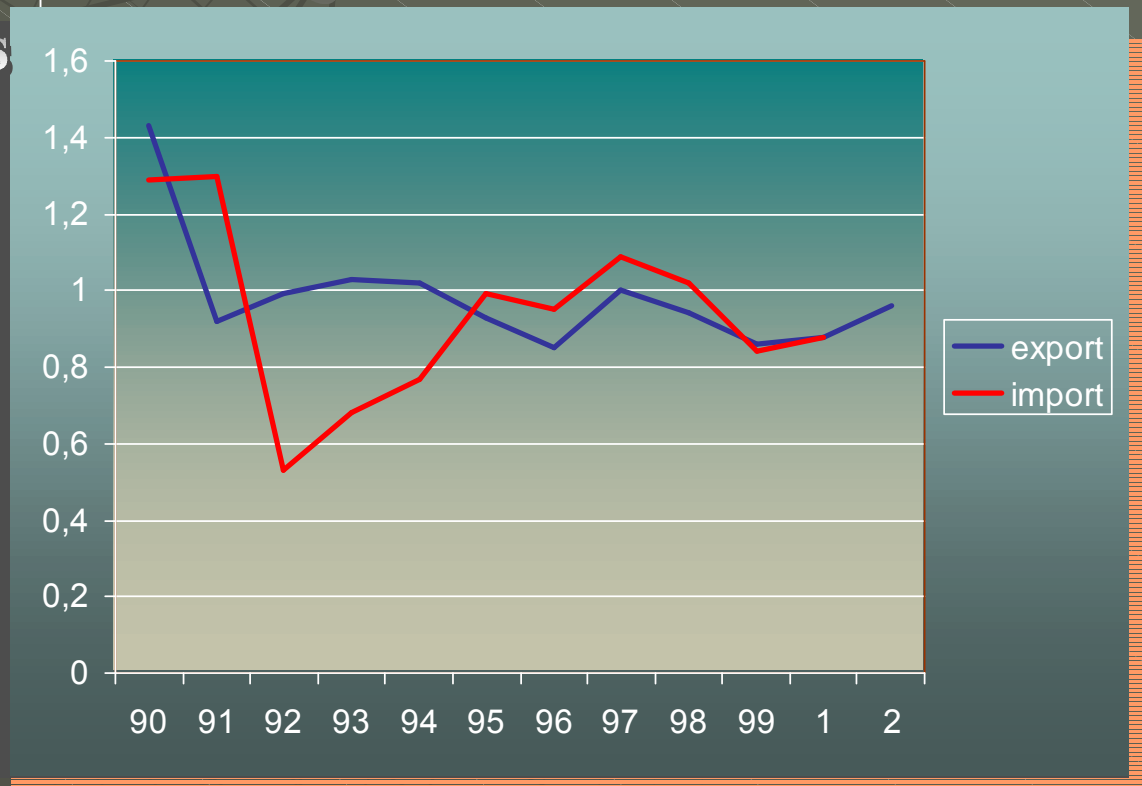




## But... some problems

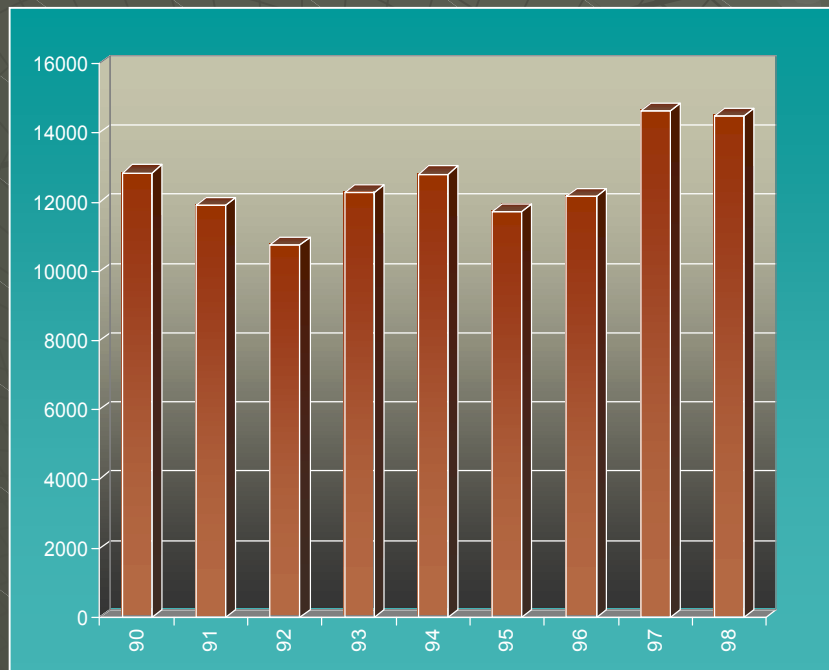
Domestic oriented economy  
Paper oriented universities  
Lack of information  
Historic closed market

The problem for countries like Brazil, is that without a policy for industrial and RD and an actual IP system they will continue to export hundreds of tons of commodities and will receive back some small box of chips in exchange.



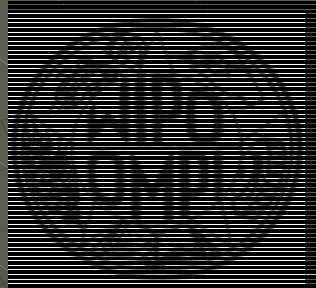


## Brazilian failure



Poor results till 1997

Despite to be a pioneer in protecting inventions,  
in having a capable industry,  
to be a creative people,  
to have a big potential,  
Brazil did not proceed with the efforts  
required to develop its IP system.



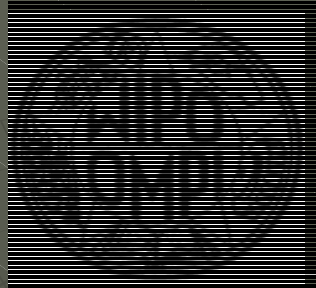
## The needs

Besides to promote:

- 5% GNP growth a year
- a changing of its export profile
- a big effort in R&D

Brasil has to promote

..... The development of its IP system.



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## Premises

- IP is not the real end we have to look for.
  - The real end is Economic Development
  - R&D is one of the primary tools
  - IP is a consequence of R&D effort
  - IP provides means to link them
  
- The Government is not "the" solution.
  - It is just a "regulator of means".
  - IP is a result of the real entrepreneurship
  
- Industries are "customers" of the system
  - Lawyers and Industry have to harmonize this entrepreneurship



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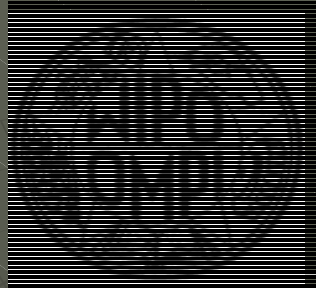
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## Some actions

- Legal Frame
  - New Innovation Law in 1997
  - Ownership to Universities and RD Centers
  - Support for commercialization
  - Pharmaceuticals in 2000
- Institutional Arrangements
  - Alignment Federation/States and Private sector
- Programs

To come

Madrid Agreement  
Green Book



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## Institutional Programs

- INPI – Federal Government
  - Information Programs
    - Profint
    - Proatec
    - Alertec
  - Incentive Program
    - Promopat
- São Paulo State Government
  - IP State Network
- Fiesp – S. Paulo Federation of Industries
  - Private Program for SMEs





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## INPI Information Programs

### PROFINT

INPI sends patent documents to the companies according to specific technological requests from them (on demand).

### PROATEC

gives information support to the government in priority sectors, producing surveys and technical diagnosis for policy's evaluation.

### ALERTEC

Statistical identification of the main technological stream and emerging markets and systematically inform private sector, through journals, bulletins and email.



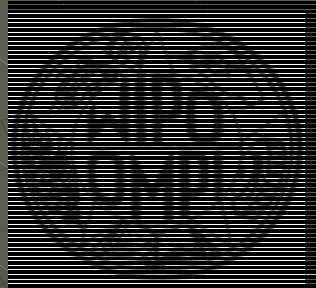
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## INPI Incentive Program: Promopat

A proactive program for...

- ❑ Enabling Technology using IP as a tool.
- ❑ Adapting R&D to the IP international regulations.
- ❑ The establishment of an IP information center
- ❑ Developing consciousness and culture of IP.



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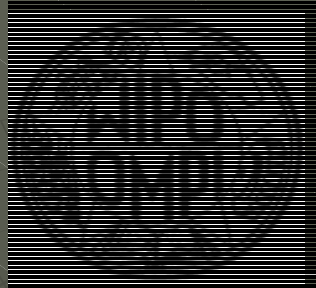
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## Implementing Promopat

- 1<sup>st</sup> phase
  - Introductory lecture on the specific features of national and international IP system
- 2<sup>nd</sup> phase
  - Technical assistance to identify patentable inventions and marks
  - Free support to issue all paper work of applications
  - General support on the legal issues and responsibilities with Lawyer Association Partnership
  - Free Training Classes on how to use the IP documents to maximize the R&D internal processes
- 3<sup>rd</sup> phase
  - Helping in an internal IP center and library

50% Reduced costs for  
SME Applications

Awards for Universities



## Some results

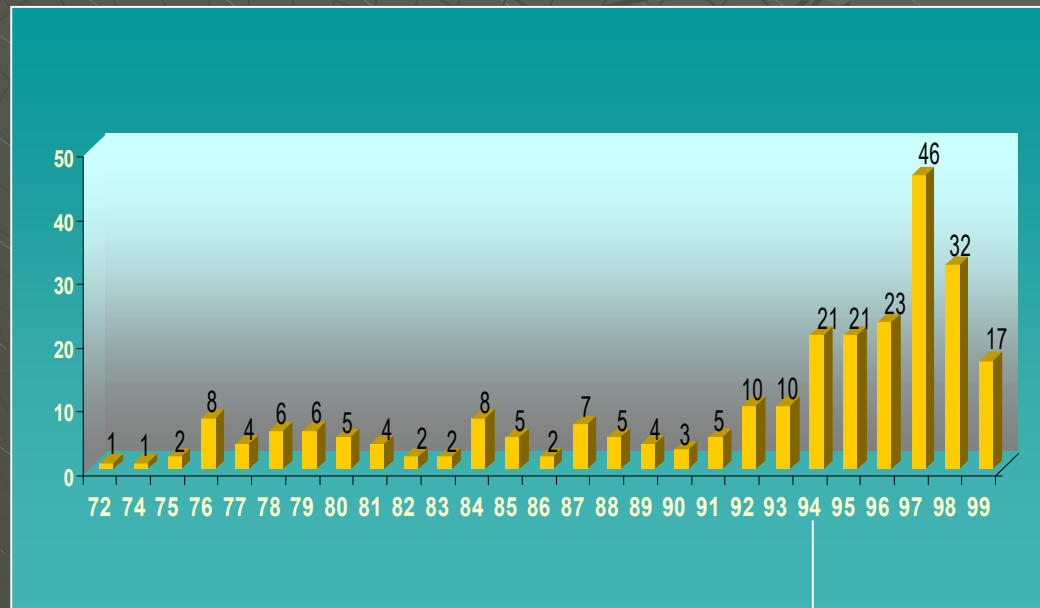
- Assisted Projects or entities 86
- Identification of patentable inventions 1318
- Technicians trained to properly handle a IP center 2195

Remarkable advantages

Low cost assistance  
Specialties development at INPI

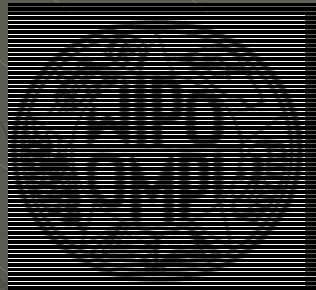


## Practical example



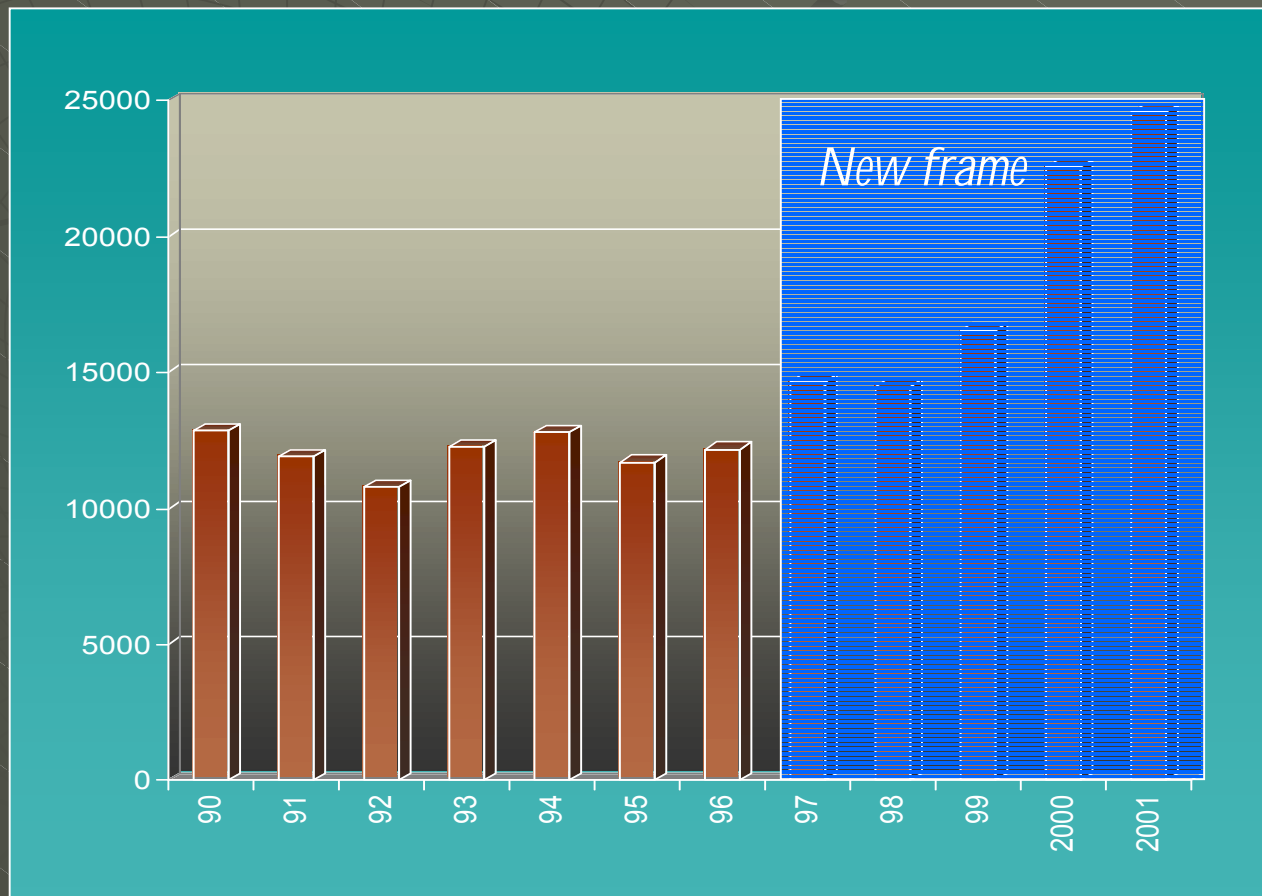
Mining Brazilian  
company

Promoate  
Start up

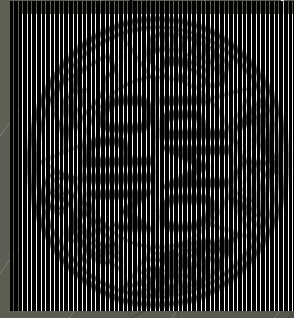


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**Result is starting**







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## Still room for growing

<b>DEPÓSITOS EFETUADOS</b>	<b>Jan/Dez 2000</b>	<b>Jan/Dez 2001*</b>	<b>VAR. %</b>
Patentes de Invenção - PI	6.549	6.779	4
Modelo de Utilidade - MU	3.148	3.582	14
Desenho Industrial - DI	3.535	3.759	6
Certificado de Adição - CA	74	72	(3)
Trat. Coop. Patente - PCT	9.252	10.373	12
<b>TOTAL</b>	<b>22.558</b>	<b>24.565</b>	<b>9</b>

Fonte: DIRPA

\* Dados não consolidados



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## Sao Paulo State Program

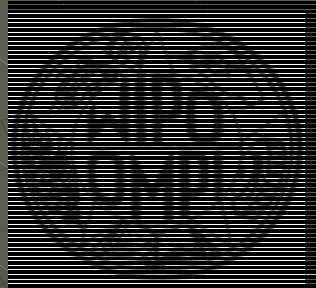
São Paulo State means

about 40% Brazilian GNP  
about 60% of the Brazilian patents.

PatenteNet Program

A Network to facilitate ...

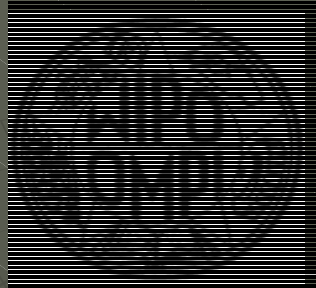
1. Universities production of IP
2. Licensing
3. Support for information package



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## Main Benefits

- ❑ Integration and administration of several data base, special from tehe state universities, with contents of the IP system , using the São Paulo Infovia, the National net of Information.
- ❑ It will extend its benefits, for the São Paulo scientific community, and also for the productive sector of the State of São Paulo.



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## Fiesp program



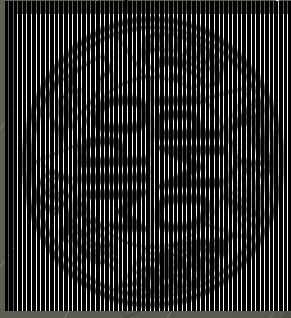
International benchmark

8 seminars a year

6 Round table for licensing

*Fiesp in S. Paulo  
Paulista Avenue  
Financial Center of Brazil*





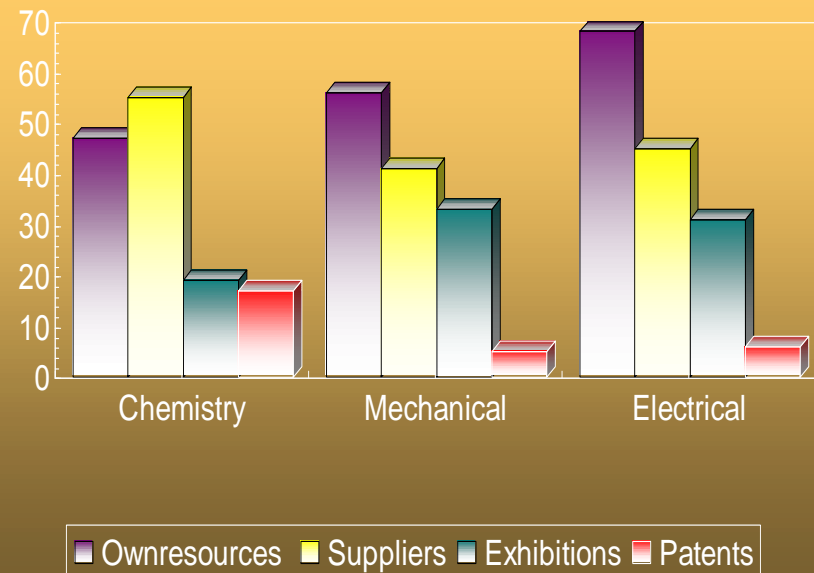
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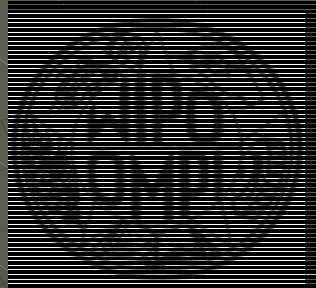
**The end**



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- ◆ Main Collection  
26 million of patent documents.
- ◆ Growth rate  
40 000 docs/month.

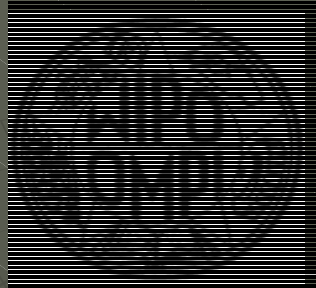




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# Brazil creativity

In 1970  
Was created INPI



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## INPI and its role

Born in 1970 to promote the approach between the inventor and industry.

To monitor the domestic and international technology market, giving support to decisions regarding investments in technological qualification.

Diffuse the knowledge and information of the patent collection, speeding up its assimilation by the enterprises.

Provide technical assistance to the public in the application procedures for patents and trademark registration.





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## INPI Incentive Program

- ◆ Promopat
  - ◆ lack of knowledge on IP in Enterprises, universities and R&D Centers
  - ◆ Insufficient Protection to Generic National inventions
  - ◆ Unnecessary royalties expenditures with technologies transfer in public domain.