



FEDERAL PUBLIC SERVICE
MINISTRY OF DEVELOPMENT, INDUSTRY, TRADE AND SERVICES
BRAZILIAN NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY
DIRECTORATE OF PATENTS, COMPUTER PROGRAMS AND TOPOGRAPHIES OF INTEGRATED CIRCUITS

March 13, 2023

Note C. 9141
Standing Committee on the Law of Patents¹
Brazil

Information relating to the expedited examination programs of IP offices, including information on Prioritized Examination of COVID-19 related patent applications

INPI offers several types of fast-tracks for processes involving the protection of industrial property rights through the use of patents, such as:



















	Elderly applicant		Request for funding to explore the invention		Green technology
	Applicant with serious illness		Applicant accusing thirty party infringement		Healthy technology
	Handicapped applicant		Third party accused of infringement		COVID-19 technology
	SMEs		Prior use		[SUS or public interest]
	Science and technology Institution		Technology resulting from public funding		First filed in Brazil
	Startups		Technology made available on the market		Patent Prosecution Highway

Figure 1 – Fast-tracks types.

On December 27, 2022, INPI published Ordinance No. 079 (Industrial Property Magazine (RPI) No. 2712) that governs the priority processing of patent applications in Brazil.

<https://www.gov.br/inpi/pt-br/servicos/patentes/legislacao/legislacao/portaria-79-16-12-2022.pdf>

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



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The main information regarding the objectives, qualification, procedures and fees can be reached by the link below:

<https://www.gov.br/inpi/pt-br/servicos/patentes/tramite-prioritario/modalidades-de-tramite-prioritario-de-patentes>

Figures 2 and 3 show details on some fast-track modalities.

Group	Type	Fee	Requester	Annex
Due to the applicant	 Micro or small enterprise applicant	R\$890,00 R\$ 356,00*	SMS applicant	Certificate issued by the Brazilian government indicating the classification
	 Science and technology Institution	R\$890,00 R\$ 356,00*	ICT applicant	Certificate issued by the Brazilian government indicating the classification
	 Startups	R\$890,00 R\$ 356,00*	Startup applicant	Certificate issued by the Brazilian government indicating the classification
	 First filed in Brazil	R\$890,00 R\$ 356,00*	Any applicant	Evidence of the beginning of the patent family in Brazil
	 Technology made available in the Brazilian market	R\$890,00 R\$ 356,00*	Any person	Evidence that the technology is in the market (itself or imbibed)

* with discount

Figure 2 – Fast-track types at INPI-BR (based on applicant type).



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Group	Type	Fee*	Requester	Annex
Fast-track based on technology	 Green technology	R\$890,00 R\$ 356,00*	Any applicant	Define que item in Annex I
	 Health care technology (AIDS, Cancer, neglected or rare disease)	R\$890,00 R\$ 356,00*	Any applicant	Explain the relation to AIDS, Cancer, neglected or rare diseases
	 COVID-19 care technology (will be expanded to national or international emergency)	R\$890,00 R\$ 356,00*	Any person	Explain the relation to COVID-19
	 Request from Ministry of Health	Free	Brazilian Ministry of health	Indicate the application number or the product names
	 Public interest or national emergency	Free	Ex officio	Indicate the application number

* with discount

Figure 3 – Fast-track types at INPI-BR (Based on technology).

Finally, Figure 4 presents data related to patent applications for the treatment of Covid-19:

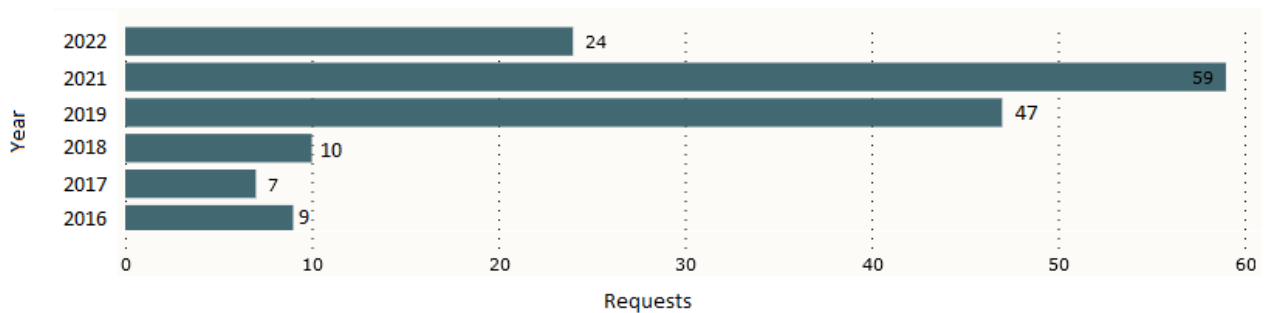


Figure 4 – Number of requests for the treatment of Covid-19.

More details can be found at:

<https://www.gov.br/inpi/pt-br/servicos/patentes/tramite-prioritario/estatisticas-gerais>