

SUPPLEMENTARY PROTECTION CERTIFICATES AND PATENT TERM EXTENSIONS

Response ID:98; qocu Data

1. Country code page

1. Please enter the two-letter country code corresponding to your Office or Organization.

BR

2. Questions page

2. 1. Does your Office/Organization provide SPCs or PTEs?

No

2. If you have answered "NO" to Question 1, will your Office/Organization start providing SPCs or PTEs in the future?

No.

Comments: Until now INPI-BR was not invited to participate in any discussions about the creation of this kind of protection. It is not an INPI prerogative the legislative creation of this kind of protection.

3. 3. Please specify for which products an SPC or PTE can be obtained (or are planned to be introduced):

4. 3a. Please describe the requirements for granting SPCs or PTEs.

Examples:

the product has been protected by a patent,
the product has been subject to a regulatory review procedure before its commercial marketing or use,
an SPC or PTE has never been granted on the product.

If available, please provide a link to guidelines on filing applications for SPCs or PTEs.

5. 4. Please specify the legal basis for granting SPCs or PTEs. For example, relevant provisions of the national law (article or rule number), regional regulation, decrees, ordinances etc.

If legal grounds are different for the objects indicated in Question 3, please list all of them, indicating corresponding products.

6. 5. Please give the name(s) of the SPCs or PTEs granted by your Office/Organization in both English and the original language.

Example: DE – Supplementary Protection Certificate (in German: "Ergänzendes Schutzzertifikat").

If names are different for the products indicated in Question 3, please list all of the protections, indicating corresponding products.

7. 6. If your Office/Organization assigns (or intends to assign) a specific application and/or grant/registration number to SPCs or PTEs, please give examples and details of:

Comments:

8. 7. Does your Office/Organization or other relevant national authority publish, or intend to publish, one or more of the

following events for an SPC or PTE?

	MEDICINAL PRODUCTS	PLANT PROTECTION PRODUCTS	ALL PRODUCTS SUBJECT TO REGULATORY APPROVAL FOR MARKETING	OTHER
Request (application) for an SPC or PTE filed				
SPC or PTE granted				
SPC or PTE not granted				
SPC or PTE opposed by third parties				
SPC or PTE came into force				
SPC or PTE ceased because of a lapse or expiry				
Extension of SPC term requested				
Extension of SPC term granted				
Extension of SPC term not granted				

Comments:

9. 8a. In what form is the corresponding event published?

10. 8b. What are the minimum elements that this publication must contain?

11. 8c. What is the planned timetable for publishing this information?

12. 8d. Please attach an example(s) of published events and/or of corresponding announcements.

Comments:

13. 9. Does your Office/Organization or other relevant national authority publish (or intend to publish) the announcement of state changes for an SPC or PTE as defined in WIPO Standard ST.27?

	MEDICINAL PRODUCTS	PLANT PROTECTION PRODUCTS	ALL PRODUCTS SUBJECT TO REGULATORY APPROVAL FOR MARKETING	OTHER
Changed to "Active"				
Changed to "Not active"				
Changed to "Terminated"				

14. 10a. In what form is the announcement related to the state change published?

15. 10b. What are the minimum elements that this publication must contain?

16. 10c. What is the planned timetable for publishing this information?

17. 10d. Please attach a specimen(s) of corresponding announcements.
