

Ministry of Economy launches National Strategy for Intellectual Property



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Intellectual Property, Brazil

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Introduction

The Brazilian Patent and Trademark Office (BPTO) celebrated its 50th anniversary in a ceremony of 11 December 2020. At the event, the special government body of the Ministry of Economy launched the National Strategy for Intellectual Property (ENPI).

In addition, the event marked the closing ceremony of the Academic Meeting on Intellectual Property, Innovation and Development, which had discussed the BPTO's strategic projects. Among the current projects are:

- the Plan to Combat the Patent Backlog;
- the operationalisation of the Madrid Protocol system;
- the IP Digital Plan (which aims to transform BPTO services in electronic environments); and
- the BPTO Business Programme (which aims to promote the generation of new IP assets by residents in Brazil).

GIPI

The ENPI was presented after one year of work by a select group of bodies involved in IP matters (GIPI). More than 220 IP specialists were involved, with 98 contributions received during the public consultation phase. There was also great representation from the private sector, including from the Brazilian IP Association.

The GIPI is chaired by the special secretary of the Ministry of Economy, Carlos Da Costa, and comprises 10 members:

- the President's Office;
- the Civil House;
- the Ministry of Economy;
- the Ministry of Justice and Public Security;
- the Ministry of Science, Technology and Innovation;
- the Ministry of Agriculture;
- the Ministry of Tourism;
- the Ministry of Health;
- the Ministry of Foreign Affairs; and
- the Ministry of Environment.

ENPI

The ENPI's objective is to achieve an effective and well-known national IP system, which encourages creativity and investment in innovation in order to increase competitiveness and socioeconomic development in Brazil.

After identifying the main problems and challenges regarding intellectual property in Brazil, the ENPI was based on seven lines of action:

- intellectual property for competitiveness and development;
- dissemination, training and capacity building in intellectual property;
- governance and institutional strengthening;
- modernisation of legal frameworks;
- legal observance and security;
- intelligence and vision of the future; and
- Brazil's insertion in the global IP system.

Each line consists of a group of actions aimed at macro-objectives to tackle the IP problems and challenges which Brazil faces. Altogether, more than 210 actions are proposed to transform the Brazilian IP system.

The proposed activities will be detailed according to the priorities identified by the public (during the consultation held between August 2020 and October 2020) and by the government. They will be organised in biennial action plans, seeking to guarantee the effective implementation and monitoring of the plan, as well as the evaluation of results and the introduction of necessary adjustments throughout the process of execution and elaboration of the new plans.

First action plan

The first action plan will be implemented in the first half of 2021, together with the launch of the National Intellectual Property Portal. Initially, the portal will gather all information about the ENPI, allowing real-time progress monitoring.

Subsequently, the portal will centralise all government information and links regarding activities relating to intellectual property.

Comment

The GIPI will be responsible for the implementation and governance of the ENPI, which will be made official through a presidential decree.

According to the GIPI, the ENPI's main goals are to place Brazil among the top countries with respect to requests for the protection of IP rights and to enable 80% of national innovation companies to protect their intellectual property.

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