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Brazilian National Strategy for Intellectual Property (ENPI)

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

In addition, the event marked the closing ceremony of the Academic Meeting on Intellectual Property, Innovation and Development (ENAPID) that discussed the BPTO's strategic projects. Among the current ones that stand out are:

1. the Plan to Combat the Patent Backlog;
2. the operationalization of the Madrid Protocol system;
3. the IP Digital Plan (aimed at transforming BPTO services in electronic environments), and;
4. the BPTO Business Program (whose objective is to promote the generation of new IP assets by residents in Brazil), among others.

The National Strategy for Intellectual Property (ENPI) was presented after a year of work, completed by a selected group of bodies involved with IP matters (GIPI), involving more than 220 specialists on the subject; with 98 contributions received in the public consultation phase, with great representation from the private sector, including from ABPI, the Brazilian IP Association, which I am proud to preside since 2018.

The GIPI is chaired by the special secretary of the Ministry of Economy, Mr. Carlos Da Costa, and is composed of 10 members: President's Office, Civil House, Ministry of Economy (ME), Ministry of Justice and Public Security (MJSP), Ministry of Science, Technology and Innovation (MCTI), Ministry of Agriculture (MAPA), Ministry of Tourism (MTur), Ministry of Health (MS), Ministry of Foreign Affairs (MRE) and Ministry of Environment (MMA).

The ENPI's objective is to achieve an effective and well-known National Intellectual Property System, which encourages creativity and investments in innovation, aiming at increasing competitiveness and socioeconomic development in Brazil.

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After identifying the main problems and challenges of Intellectual Property in the country, the ENPI was built based on 7 lines of action:

1. IP for Competitiveness and Development
2. Dissemination, Training and Capacity Building in IP
3. Governance and Institutional Strengthening
4. Modernization of Legal Frameworks
5. Legal Observance and Security
6. Intelligence and Vision of the Future
7. Brazil's insertion in the Global IP System.

Each line consists of a group of actions aimed at macro-objectives to tackle the Intellectual property problems and challenges found in the country. Altogether, more than 210 actions are proposed to transform the Brazilian Intellectual Property system.

The proposed activities will be detailed and planned according to the priorities identified by society, during a public consultation held between August and October 2020, and by the government. They will be organized in biennial Action Plans, seeking to guarantee an effective implementation, monitoring, evaluation of results and eventual adjustments necessary throughout the process of execution and elaboration of the new plans.

The first action plan will be implemented in the first semester of 2021 together with 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 centralize all government information and links regarding activities related to IP.

GIPI will be responsible for the implementation and governance of the National Intellectual Property Strategy, which will be made official through a presidential decree.

According to GIPI, the main goals of ENPI are to place Brazil among the top countries to receive requests for the protection of intellectual property rights, and to help make 80% of national innovation companies able to protect their intellectual property.

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