



Brazilian Patent and Trademark Office (BPTO) announces Phase V of PPH program including Global PPH

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The Brazilian Patent and Trademark Office (BPTO) published in Official Bulletin no. 2,814, of December 10, 2024, Ordinance no. 48, which establishes Phase V of the Patent Prosecution Highway (PPH) program. Since the BPTO has joined the Global PPH, Ordinance no. 48 further establishes the corresponding provisions.

In comparison with the previous phase, a few aspects were modified, such as:

- A PPH request can be filed for an application whose priority is not from a PPH partner patent office;
- All Global PPH participating patent offices were included as partner offices;
- The result of a technical examination that comprises patentable subject matter from partner patent offices will be accepted;
- The concept of “patentable subject matter” was modified to include subject matter examined by the PCT;
- There is a new limit of **3,200 PPH requests per annual cycle** and a new limit of 1,000 PPH requests per International Patent Classification (IPC) section.
- The former limit of PCT-based PPH requests and **weekly limit of one PPH request per applicant were revoked.**

The current PPH partner offices are:

Australia, Austria, Canada, Chile, China, Colombia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, European Patent Office, France, Germany, Hungary, Iceland, Israel, Japan, New Zealand, Nordic Patent Institute, Norway, Paraguay, Peru, Poland, Portugal, Russia, Singapore, South Korea, Spain, Sweden, United Kingdom, United States, Uruguay, and Visegrad Patent Institute.

Ordinance no. 48 comes into force on **January 1st, 2025.**

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