

February 13, 2019

Phase II of BRPTO-JPO PPH: Rule # 235/2019 defines new requirements and extends the covered technical fields

Dear Colleagues,

The Brazilian PTO (BRPTO) published yesterday (February 12th) Rule # 235/2019, which establishes the second phase of the Patent Prosecution Highway (PPH) between the Brazilian PTO and the Japan PTO (JPO). The period for receiving fast-track examination requests under this PPH is between **April 1st, 2019** and **March 31st, 2021**.

In this new phase, some modifications were performed in the requirements to participate in the program. The main aspects can be summarized as follows:

- Subject matter eligible to the BRPTO-JPO PPH II:

Technical field	IPC code
Electrical machinery and apparatus, energy	F21#, H01B, H01C, H01F, H01G, H01H, H01J, H01K, H01M, H01R, H01T, H02#, H05B, H05C, H05F, H99Z
Audiovisual technology	G09F, G09G, G11B, H04N3, H04N5, H04N9, H04N13, H04N15, H04N17, H04R, H04S, H05K
Telecommunications	G08C, H01P, H01Q, H04B, H04H, H04J, H04K, H04M, H04N1, H04N7, H04N11, H04Q
Digital communications	H04L
Basic communication processes	H03#
Information technology	G06# (not including G06Q), G11C, G10L
Methods of information technology for management	G06Q
Semiconductors	H01L
Macromolecular chemistry, polymers	C08B, C08C, C08F, C08G, C08H, C08K, C08L
Metallurgy and materials	B21#, B22C, B22D, B22F, C01B, C01C, C01D, C01F, C01G, C03C, C04B, C21B, C21C, C21D, C22B, C22C, C22F
Agrochemicals	A01N, A01P, C07D, C07G, C07H, C07J
Microorganisms or enzymes	C12N
Others	B60#, B62#, C08J, F02D, G02B, G02F, G03G, G05#, G08G, H01S, H04N19, H04N21, H04W, H05H

- Patent applications filed at least 18 months before requesting fast-track examination under this PPH or patent application with early publication requested;
- Each Applicant can request the participation of only one application per month in this PPH;
- Earliest priority application must be Japanese or, in case of a PCT application without priority claimed, the JPO must be the receiving office;
- The Brazilian PTO will technically examine up to 200 patent applications under this PPH;
- The Brazilian patent application must have at least one application of its family allowed by the JPO;
- Patent applications must have the regular examination already requested and the technical examination must not have been started;
- Patent applications must claim the same or narrower subject matter than the one considered allowed by the JPO.

Should you have any questions, or need assistance on this matter, please contact us.

Best regards,



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