



December 27, 2022

**PHASE IV OF PATENT PROSECUTION HIGHWAY (PPH) WILL BE IMPLEMENTED
WITH SOME MODIFICATIONS**

Dear Colleagues,

The Brazilian PTO published **today** Phase IV (Ordinance No. 78/2022) of Patent Prosecution Highway (PPH) program, implementing new rules for the acceptance into the program, which will begin on January 01, 2023.

Based on this new round, **250 PPH requests per IPC section year will be accepted** compared to 150 in the previous phase.

The other conditions remain the same as summarized below:

- 800 requests per year
- 1 PPH request per week by each Applicant
- 100 requests per year based on the PCT patentability report

It is also important to highlight that the subject matter claimed into the PPH request should be equal to or more restricted than that allowed/granted by the respective foreign PTO, being prohibited the inclusion of a subject matter for which the foreign PTO did not perform search and/or technical examination.

Should you have any questions, please feel free to contact us.



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