

BRAZIL'S UPDATES

INTELLECTUAL PROPERTY – APRIL/MAY 2019

Brazilian Patent and Trademark Office grants Geographical Indication Registration to Coffee from Western Bahia, Brazil



As generally known, a GEOGRAPHICAL INDICATION registration allows to limit a geographical area, restricting the use of its name to producers and service providers from that region (usually organized into representative entities). The kind of Geographical Indication known as “denomination of origin” recognizes the name of a country, city or region which product or services has certain specific characteristics, thanks to its geographical environment, including natural and human factors. On the other hand, the kind known as “indication of origin” refers to the name of a country, city or region known as an extraction, production or manufacturing center for a given product or as a providing center for a given service.

BPTO has published the approval of geographical indication, as indication of origin, for the product “raw coffee in grains” of the species *Coffea arabica* from Western Bahia. The defined geographical area covers terrains with altitudes of 700 m and higher in the following towns: Formosa do Rio Preto, Santa Rita de Cássia, Riachão das Neves, Barreiras, Luís Eduardo Magalhães, São Desidério, Catolândia, Baianópolis, Correntina, Jaborandi and Cocos. The Geographical Indication was granted in name of Abacafé - the Coffee Growers Association of Western Bahia.

From the 1990s, coffee growing has been in continuous development, representing about 20% of the total coffee production in the State of Bahia, according to the 2010 Coffee Yearbook. Western Bahia predominantly covers a Cerrado (savannah) area, and its suitability for irrigated coffee culture was discovered around 1994.

House of Representatives approves the adoption of the Madrid Protocol by Brazil



The External Relations and National Defense Commission (CRE) of the Federal Senate has approved the Legislative Decree Project 98/2019, approving the Madrid agreement for International Trademark Registration.

The issue now goes for the appreciation of the Senate's plenary. As already advised in our last Circular Letter, the House of Representatives has approved the Legislative Decree Project nº 860/2017 on the international treaty “Protocol concerning the Madrid Agreement for International Trademark Registration”, best known as the Madrid Protocol. As a rule of the Protocol, the analysis of an application must be performed within 18 months from filing the trademark. In February this year, the waiting time for trademark application examinations with BPTO was 11 months, less than half of what it used to be by end 2017. The downward trend in the time for registration is sustained by the improvements created by the Trademark Office, and BPTO states to be prepared to fulfill that time requirement.

Let's wait and see. We should remind that the operational preparation developed by BPTO to implement the Madrid Protocol also covers the modification of IT systems used to process trademark applications, creating and modifying operational procedures, editing rules and manuals, an internal re-structuration and increasing and training teams.

Public consultation is opened for trademark registration in multiclass system



BPTO informs that, on May 14, 2019, the 30-period for the public consultation on the draft of Resolution on trademark registration in multiclass system started, with the publication of BPTO/DIRMA Decree nº 02/2019 by the Industrial Property Magazine (RPI) nº 2523. Interested parties may send their suggestions by email to consultapublicamarcas@inpi.gov.br, until June 13, 2019, solely by means of a specific form made available on the [public consultation page](#) on trademarks at the BPTO web site, where it is also possible to read the Resolution draft. BPTO informs that it is also preparing the implementation of trademark registration procedures in co-ownership fashion; trademark registration and application divisions; and trademark registration under the Madrid Protocol. The respective public consultations will start soon.

BPTO celebrates the Intellectual Property Day with an event at WIPO



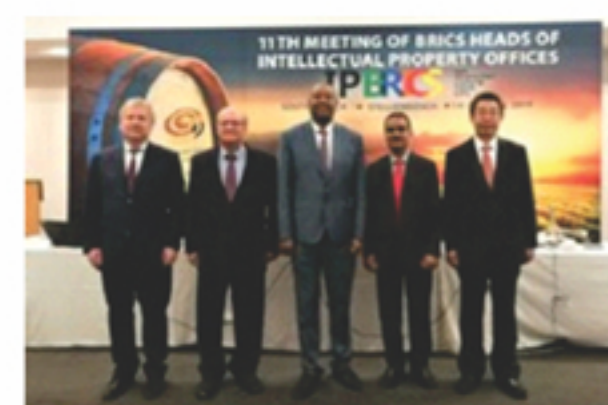
Credits: Carlos Külps – U. S. A. General Consulate at Rio de Janeiro.

On April 26, a round of discussions to celebrate the Intellectual Property Day was performed at the headquarters of the World Intellectual Property Organization (WIPO) in the city of Rio de Janeiro. The theme of the celebrations this year is the relationship between Intellectual Property and Sports, aiming to announce the international campaign which theme is “Reach for Gold: IP and Sports”.

The opening table was formed by the WIPO Regional Director in Brazil, Mr. José Graça Aranha; the BPTO President, Mr. Cláudio Furtado; the representative of the United Nations Development Program (UNDP), Ms. Maria Teresa Fontes; the IP Attachée for Mercosur countries, Guyanas and Surinam of the United States Patent and Trademark Office (USPTO), Ms. Laura Hammel, and the Intellectual Property Director of the Japan External Trade Organization (JETRO), Mr. Masaki Okamoto.

The event was promoted by the World Intellectual Property Organization (WIPO), as a partnership with the Brazilian Patent and Trademark Office (BPTO) and the United Nations Development Program (UNDP). This year, it also received the support of the following institutions: Brazilian Association of Intellectual Property Agents (ABAPI); Brazilian Intellectual Property Association (ABPTI); Athletes for Brazil; National Confederation of Industry (CNI); Ayrton Senna Institute (IAS); Sports and Education Institute (IEE); Japan Patent Office (JPO); National Basketball Association (NB); and the United States Patent and Trademark Office (USPTO).

BPTO holds pro tempore presidency of IP BRICS



Presidents of IP offices in BRICS countries.

During the 11th meeting of the patent and trademark office directors for BRICS countries, held on April 14-16 in Cape Town, South Africa, the pro tempore presidency of IP BRICS was transferred to BPTO, who is now responsible to coordinate the activities of the block during its one-year mandate. Brazil will hold the next meeting in 2020, in Rio de Janeiro. BPTO presented its new projects in the patent field – technical examination for patent applications containing Markush formulas and workload management by using data on the volume of patent applications – which should be developed during the year 2019.