

A hand holding a pen over a blueprint. The background is a dark blue gradient with a faint, light blue architectural drawing of a city grid or building plan. The hand is positioned in the upper right, holding a silver pen that points towards the center of the image. The overall aesthetic is professional and technical.


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BRAZILIAN CONTEXT

BPTO publishes technical note on procedures for examining industrial designs

On May 10, 2024, the Brazilian Patent and Trademark Office (BPTO) issued Technical Note No. 01/2024, which replaced the content of chapter 5.3 (Substantive Examination), of the BPTO's Industrial Designs Manual.

In order to speed up the process of analysis of industrial design applications, at any time during the substantive examination, formal

errors in the application may be corrected ex officio (e.g., numbering and legend of figures).

The BPTO has been taking constant measures to speed up the examination time of applications – not only for industrial designs, but also for patents and trademarks. In fact, the BPTO's plan to fight the patent backlog continues to be one of the main commitments made by the BPTO.

Patent and Trademark Offices' supporting actions for owners affected by the rains in Rio Grande do Sul

Due to the rains that affected the state of Rio Grande do Sul, patent and trademark offices, including WIPO (World Intellectual Property Organization), IMPI (Mexico), JPO (Japan), EPO (Europe), UK IPO (United Kingdom) and DNPI (Uruguay), have expressed their intention to extend deadlines for payment and general procedures for filings until the situation normalizes. In addition, deadlines that expired between April 24 and October 28 this year will be extended by the BPTO.



COURT DECISIONS



Sicoob is ordered to pay for pecuniary damages due to unauthorized use of slogan owned by marketing agency

Last month, the National Confederation of Sicoob's (System of Credit Unions of Brazil) Cooperatives was ordered to pay for pecuniary damages, in the amount of BRL 100,000.00, due to the unauthorized use of the slogan "Sicoob. Faça Parte," which was created by a marketing agency within the scope of a contract signed between the parties in 2016.

The use of the slogan after termination of the contract depended on prior authorization from the marketing agency, given the contractual provision that attributed the ownership of intellectual works produced to the marketing agency, and not to Sicoob. By understanding that the slogan is protected

by copyright, its use, outside the scope allowed in the contract and without prior authorization, was considered by the Courts a violation of the author's property rights.

The case shows the importance of defining, by mutual agreement, the scope of use of intellectual works and industrial property assets (trademarks, patents, etc.), in contracts that involve the creation, as well as the assignment or license of use of intangible assets, as a form to avoid violation of IP rights by either party.

Lawsuit No. [0725603-59.2023.8.07.0001](#). 25th Civil Court of Brasilia. Court of Justice of the Federal District.

IP ABROAD

New treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge

After more than 20 years, WIPO State-Members have reached a landmark Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge.

This treaty is the result of extensive and intense discussions and, once in force, requires that applicants of patents based on genetic resources or associated traditional knowledge indicate the country of origin of these resources or the suppliers of this traditional knowledge.

Each country will be responsible for creating legal and administrative measures to deal with possible violations. In the case of Brazil, the BPTO will certainly play a significant role in the

implementation of the treaty, either by creating new resolutions or by developing a database with information on genetic resources and traditional knowledge.

These actions aim to promote transparency and traceability, which can result in a more equitable distribution of benefits between countries holding genetic resources and the owners of the traditional knowledge.

On the other hand, it is also necessary to prevent the process for obtaining patents from becoming more bureaucratic and time consuming, which can have an adverse effect when we talk about innovation.



European Union creates committee to regulate the use of artificial intelligence

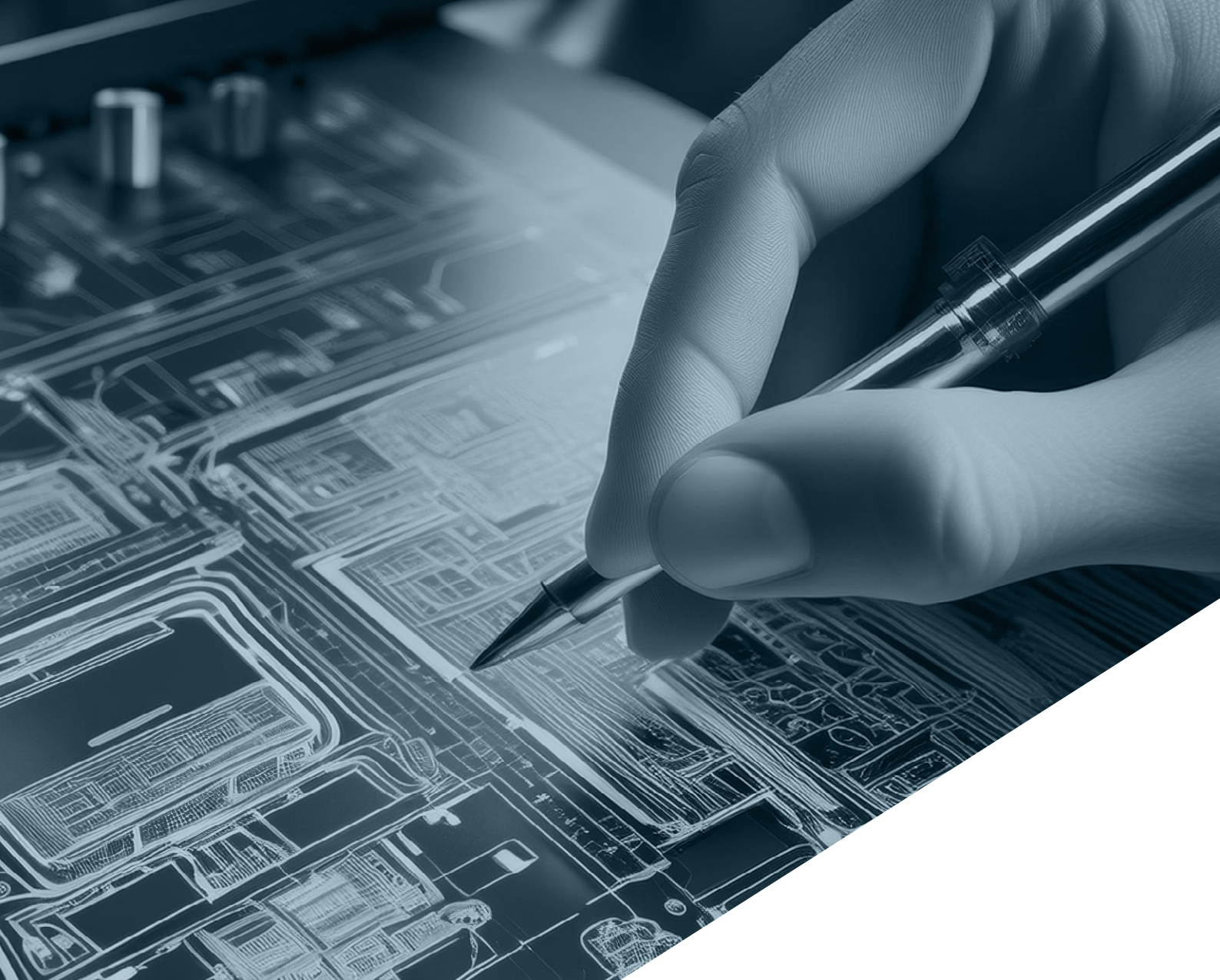
On May 29, the European Commission announced the creation of a specific body, the so-called “AI Office,” for the implementation of the AI Legal Framework (AI Act). The AI Office will be composed of technology experts, economists and lawyers, and units specialized in a range of subjects, including compliance with legislation, mitigating systemic risks, funding research on innovative models, applying artificial intelligence systems for social good, and coordinating international AI policies.

In addition to the enforcement of the AI Act and sanctions, the AI Office will also have other tasks, such as drafting best practice guides and advanced AI development codes, conducting tests and evaluations of





general-purpose AI models, collaborating and communicating with Member States and the expert community to bring together expertise from several sectors.

The creation of the AI Office aims to promote technological innovation in the European Union to obtain trustworthy AI, support research and innovation in AI and robotics and position the EU as a leader in international debates on the topic. However, it is critical that the AI Office balances the promotion of innovation with the protection of copyrights and intellectual property, ensuring that AI technologies’ developers and content authors are recognized and encouraged to continue contributing to advancements in this field.





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