

Revista da
**Propriedade
Industrial**

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Comunicados
Seção I





REPÚBLICA FEDERATIVA DO BRASIL

Presidente

Jair Bolsonaro

MINISTÉRIO DA ECONOMIA

Ministro da Economia

Paulo Roberto Nunes Guedes

INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL

Presidente

Claudio Vilar Furtado

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As established by Law nº 5.648 of december 11, 1970, this is the official publication of the National Institute of Industrial Property, an office under the Ministry of Economy, Federative Republic of Brazil, which publishes all its official acts, orders and decisions regarding the industrial property system in Brazil, comprising Trademarks and Patents, as well as those referring to Technology Transfer agreements and related matters, besides those regarding software registering as copyright.

D'après la Loi nº 5.648 du 11 décembre 1970, celle-ci est la publication officielle de l'Institut National de la Propriété Industrielle, un office lié au Ministère de l'Économie, République Fédérative du Brésil, qui publie tous ses actes, ordres et décisions concernant le système de la propriété industrielle au Brésil, y compris marques et brevets, aussi que ceux référés aux contrats de transfert de technologie et des sujets afférents, en outre que ceux se rapportant à l'enregistrement des programmes d'ordinateur comme droit d'auteur.

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COORDENAÇÃO-GERAL DE ORÇAMENTO E FINANÇAS
DIVISÃO DE CONTABILIDADE GERAL
SERVIÇO DE ARRECADAÇÃO**

Segue abaixo a lista dos processos de restituição de retribuição deferidos. De acordo com a Resolução INPI 204/2017, após a publicação em RPI, o pagamento das restituições será feito em até 15 dias.

Nº do Processo	Nº da GRU		Nº do Processo	Nº da GRU
52402010558/20	29409171925012529		52402000260/19	29409171810780957
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52402002704/19	29409171901113007		52402003806/18	29409171806183370
52402000541/18	29409161800842855		52402006852/18	29409171809290577
52402002712/19	29409171901011859		52402008439/18	29409171811570972
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52402002749/19	29409171811673291		52402004248/18	29409171806563629
52402002675/19	29409171811672767		52402006866/18	29409161710069430
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52402003088/19	29409171800410570		52402009848/18	29409171808399150
52402003091/19	29409171901369117		52402012573/19	29409171909102934
52402003321/19	0000231601479850		52402004815/19	29409171809794885
52402006038/19	29409171800471218		52402005071/19	29409171901946190
52402006690/19	29409171902544907		52402005479/19	29409171805647772
52402002990/20	29409171917122779		52402010867/19	29409171908435549
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52402008223/18	0000231607262942		52402005130/20	31123251918727183
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52402008996/18	29409171811735211		52402013078/19	29409171911548324
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52402000069/19	29409171813176201		52402013128/19	29409171911271896
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Nº do Processo	Nº da GRU		Nº do Processo	Nº da GRU
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52402013179/19	29409171912380745		52402013397/19	29409171912306332
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52402003260/20	29409171910915030		52402013400/19	29409171912111507
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52402003862/20	29409171917390625		52402013413/19	29409171911936960
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52402003804/20	29409171812932533		52402013422/19	29409171908921982
52402003281/20	29409171911588199		52402013423/19	29409171908921842
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52402007015/18	29409171809735684		52402002235/20	29409171916615879
52402009349/19	29409171905766323		52402012300/19	29409231909107178
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52402014233/19	29409161903855631		52402012303/19	29409231909336045
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52402010187/20	29409161919432522		52402014526/19	29409161912687290
52402006125/20	29409161905766407		52402014527/19	29409161912687282
52402010979/20	29409161924516224		52402014378/19	29409171912607219
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52402010070/20	29409161924178906		52402014659/19	29409161912209372
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52402010352/19	29409161908533543		52402013488/19	29409161908847270
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Nº do Processo	Nº da GRU		Nº do Processo	Nº da GRU
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52402014322/19	29409161910996067		52402003597/20	29409171917856799
52402014058/19	29409171913171333		52402003708/20	29409171917411681
52402014122/19	29409161911527621		52402004370/20	29409171916579163
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52402014476/19	29409171913257955		52402010794/19	29409161809665603
52402014355/19	29409171911947709		52402010782/19	29409161813590400
52402014336/19	29409171911824038		52402010447/19	29409161908546025
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52402014654/19	29409171913851130		52402012530/19	29409161906302749
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Nº do Processo	Nº da GRU		Nº do Processo	Nº da GRU
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52402010594/19	29409171905483917		52402003195/18	29409171709853626
52402012959/19	29409161911489533		52402003194/18	29409171709853278
52402012957/19	29409161910786267		52402014564/19	29409171900244698
52402013040/19	29409161900960540		52402013167/19	29409171911895989
52402013032/19	29409161900985704		52402014210/19	29409161912544325
52402011390/19	29409161809090643		52402014207/19	29409161912544694
52402013031/19	29409161906357691		52402014248/19	29409171906147406
52402013030/19	29409161809055929		52402014247/19	29409171909522860
52402002082/20	29409171908978690		52402014224/19	29409191911059484
52402008157/20	29409171922415681		52402014297/19	29409171912933035
52402013041/19	29409161906356016		52402015005/19	29409171913988542
52402003775/20	29409231913322509		52402013778/19	29409161911690565

Fernando Cavalcante Pinheiro
 Chefe do Serviço de Arrecadação





MINISTÉRIO DA ECONOMIA
INSTITUTO NACIONAL DA PROPRIEDADE INDUSTRIAL
DIRETORIA DE PATENTES, PROGRAMAS DE COMPUTADOR E TOPOGRAFIAS DE CIRCUITOS INTEGRADOS.

Comunicado

Em obediência à decisão da ADI 5529, proferida em 13 de maio de 2021, pelo Ministro Dias Toffoli, que extinguiu o dispositivo previsto no parágrafo único do art. 40 da LPI, o mesmo não será mais aplicado às patentes concedidas a partir desta data. Isto significa que todas as patentes de invenção concedidas a partir desta data terão vigência de 20 anos e que todas as patentes de modelo de utilidade concedidas a partir desta data terão vigência de 15 anos, contadas a partir da data de depósito.

Além disso, considerando a modulação da decisão publicada em 14 de maio de 2021, que estabelece o efeito *ex tunc*, retroativo, às patentes relacionadas a produtos e processos farmacêuticos e a equipamentos e/ou materiais de uso em saúde, informamos que as patentes destas áreas sofrerão ajustes nos seus prazos de vigência, conforme estabelecido abaixo.

Para fins de ajuste de vigência e de eventual extinção, foram consideradas todas as patentes concedidas com alguma extensão de prazo (nos termos do extinto parágrafo único do Art. 40), que ainda estavam vigentes em 14/05/2021. As patentes concedidas com extensão de vigência foram divididas em dois grupos:

i) patentes de invenção que ainda não ultrapassaram 20 anos da data do depósito (ou 15 anos, para modelos de utilidades);

ii) patentes de invenção que ultrapassaram 20 anos da data do depósito (ou 15 anos, para modelos de utilidades).

Desta forma, considerando estes dois grupos, temos as seguintes situações:

Patentes relacionadas a produtos e processos farmacêuticos e a equipamentos e/ou materiais de uso em saúde, concedidas com extensão de vigência, mas ainda fora do prazo de extensão em 14/5/2021 serão REPUBLICADAS, para ajuste de vigência;

Patentes relacionadas a produtos e processos farmacêuticos e a equipamentos e/ou materiais de uso em saúde, concedidas com extensão de vigência e já no prazo de extensão em 4/5/2021 serão REPUBLICADAS, para ajuste de vigência, e EXTINTAS.

Para seleção das patentes relacionadas a produtos e processos farmacêuticos e a equipamentos e/ou materiais de uso em saúde que sofrerão verificação pelo INPI, para fins de republicação da carta patente ou de extinção, foram utilizados os seguintes critérios:

1. Patentes enviadas para análise da ANVISA, para fins de concessão de anuência prévia;
2. Patentes com classificação IPC A61B, A61C, A61F, A61G, A61H, A61J, A61L, A61M, A61N; H05G (tecnologias associadas à medicina segundo a OMPI);
3. Patentes com classificação IPC A61K/6, C12Q/1, G01N/33, G16H;



4. Patentes com decisão de ação judicial publicada (despacho 19.1);

5. Certificados de Adição concedidos.

Na presente RPI está sendo publicada uma terceira lista contendo 97 patentes com classificação IPC A61K/6, C12Q/1, G01N/33, G16H, que sofrerão correção da data de vigência, através da retificação da carta patente, e eventual extinção, para os casos em que o prazo de extensão da vigência já estiver sendo usufruído.

A partir da data de publicação da correção da vigência (despacho 16.3), o titular disporá de 60 dias para requerer a revisão do ato do INPI, por meio do serviço 261, isento de retribuição. A motivação apresentada para a revisão será analisada; caso a mesma seja considerada pertinente, a vigência da patente será reajustada para o prazo original, por meio da publicação de novo despacho 16.3. Caso a motivação não seja considerada pertinente, a vigência não será reajustada, sendo notificado o indeferimento da petição, excepcionalmente por meio despacho 22.2, juntamente com o parecer da motivação do indeferimento. Deste ato administrativo caberá interposição de recurso administrativo nos termos do art. 212 da LPI, sendo devido o recolhimento da retribuição.

LISTAS ADICIONAIS serão publicadas nas próximas RPIs, conforme a análise dos casos for sendo concluída pela equipe da DIRPA.

MU8102008	PI0015947	PI9710363	PI9908914
MU8203598	PI0016173	PI9711144	PI9909191
MU8503600	PI0016249	PI9713891	PI9909282
PI0000465	PI0017535	PI9800337	PI9909456
PI0000967	PI0017548	PI9801092	PI9910394
PI0001536	PI0017573	PI9805021	PI9912047
PI0002963	PI0017596	PI9808485	PI9912175
PI0004305	PI0100199	PI9809126	PI9912227
PI0005340	PI0107761	PI9809153	PI9912663
PI0005616	PI0107781	PI9810519	PI9912726
PI0007177	PI0108364	PI9811031	PI9913018
PI0007481	PI0109131	PI9811688	PI9913730
PI0008719	PI0109443	PI9811940	PI9914571
PI0009022	PI0109674	PI9813001	PI9914741
PI0009249	PI0110312	PI9813397	PI9914996
PI0009299	PI0117360	PI9814894	PI9915201
PI0009956	PI9508825	PI9815122	PI9915208
PI0010891	PI9509411	PI9815772	PI9915669
PI0011812	PI9509819	PI9816332	PI9916264
PI0012475	PI9600729	PI9900296	PI9916820
PI0012922	PI9603626	PI9900417	122013003013
PI0013439	PI9608082	PI9902623	122014028365
PI0014390	PI9702918	PI9903302	
PI0014735	PI9703099	PI9903436	
PI0015283	PI9705650	PI9908319	

**Diretoria de Patentes, Programas de Computador e
Topografias de Circuitos Integrados**

