

## **New INPI president looks set to shake up IP system**

On 28 October 2018 Brazil elected Jair Messias Bolsonaro as its 38th president on the promise of ridding public services of bureaucracy and boosting the economy through foreign investment. In alignment with these strategic goals, the renowned Brazilian economist Paulo Guedes was appointed minister of the economy.

One of the government's first measures was to create the Super Ministry of the Economy, which includes most of the functions of the Ministry of Labour, as well as those of the former Ministries of Finance, Planning and Industry, Foreign Trade and Services.

The new super ministry has seven special secretariats, 19 regular secretariats, an under secretariat general (linked to the Special Secretariat of the Federal Revenue) and a special advisory for strategic affairs. The seven special secretariats are as follows:

- finance;
- federal revenue;
- security and labour;
- foreign trade and international affairs;
- privatisation and divestment;
- production, employment and competition; and
- bureaucracy (the elimination thereof), management and digital government.

Through Decree 9.660/2019 (1 January 2019) the Brazilian National Institute of Industrial Property (INPI) was removed from the Ministry of Industry, Foreign Trade and Services and joined the new Super Ministry of the Economy. INPI then became part of the Special Secretariat for Productivity, Employment and Competition, headed by Special Secretary Carlos Alexandre da Costa.

In an interview the secretary explained that the integration of INPI with the private sector aims to generate production, competition and employment: "The government has to get out of the way, stop disturbing and investing in what is the real role of the state, such as trademarks and patents."

On 11 February 2019 the economist Claudio Vilar Furtado was appointed president of INPI. He has a bachelor's in economics from the Federal University of Rio de Janeiro, a master's in business administration from the Getulio Vargas Foundation, a master's in business economics and a PhD in finance from the University of Chicago, as well as a PhD in business administration from the Business Administration School of Sao Paulo, part of the Getulio Vargas Foundation. He has also been a professor there since 1974. In 2003 he founded and is executive director of the foundation's Centre for Research in Private Equity and Venture Capital.

Furtado was executive vice president of ABC-Bull, chief financial officer of ABC – Sistemas Eletrônicos and business development director at ELEBRA SA until 1989. Since 1994 he has been managing partner of CVF Finanças e Investimentos, a financial strategy, corporate finance and applied economics consultancy. He is also a board member of NORSA-Refrigerantes do Nordeste SA, a subsidiary of the Coca-Cola Co, and was a board member of ATENTO Holding Inversiones y Teleservicios, a subsidiary of the Telefónica Group in Madrid from 2008 to 2012. Furtado claims:

*Productivity has increased in more than 50% in the examination of pending applications (patents and trademarks), but we are also facing technological limitations, such as computerisation, access to analyse information by using a little more artificial intelligence, probably through the use of robotic search engines and the use of big data.*

("Egresso da Universidade de Chicago vai assumir o comando do INPI". Valor Econômico. 12 February 2019)

Further, he defined as a priority the reduction of the timeframe for granting patents and trademarks. At the end of January 2018, there were 155,100 patent applications awaiting a technical examination decision.

INPI's new president is clearly a highly qualified professional with extensive experience in the economic field. Besides reviewing the Brazilian IP system, one of his challenges will be to reduce the patent backlog and consequently increase the number of patent grants.