

Brazilian PTO updates PPH program quotas and priority track for electric communication patents

The Brazilian Patent and Trademark Office (BRPTO) has issued Ordinance No. 16/2025, which was officially published in Official Bulletin No. 2856, on September 30, 2025.

This new regulation revokes Ordinance No. 03/2025 and establishes updated guidelines for the **acceptance of requests under the Patent Prosecution Highway (PPH) Pilot Project, effective October 1, 2025.**

The new ordinance sets the following provisions:

- **Additional PPH request slots are available since October 1, 2025**, bringing the total number of PPH requests accepted in 2025 to 3,200.
- Reception of requests will follow the chronological order of the priority examination request filing, based on date and time.
- All PPH requests will be counted, regardless of their acceptance status.
- Once the 3,200-request limit is reached, PPH request acceptance will be suspended for all IPC sections.

Additionally, the ordinance specifies:

- A total of **140 PPH requests will be allocated to Q4 (fourth quarter) 2025 for patent applications** whose main classification falls under IPC section H04 (Electric Communication Technique).
- The acceptance of PPH requests in IPC H04 or any other IPC section may be reviewed and adjusted quarterly.

Other important highlights:

- In the event of non-acceptance due to quota limits, the patent application will proceed under regular examination procedures, and any amendments submitted with the PPH request will not be considered.
- Applicants or attorneys may request reimbursement of official fees for non-accepted requests.
- It remains possible to file a new priority examination request, including PPH, with updated documentation.

The Brazilian PTO will publish weekly updates on the total number of PPH requests submitted so applicants can monitor the amount of remaining slots.

Please do not hesitate to **contact us for further information and guidance on submitting PPH requests.**

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