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World IP day in times of COVID-19 Pandemic

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The World Intellectual Property Day is celebrated every year on April 26. This year, the importance of this date takes on a new meaning in the midst of the COVID-19 pandemic.

According to the World Intellectual Property Organization (WIPO), the Intellectual Property Day has the purpose of highlighting the role played by IP rights in innovation. And there is no better time than today to be innovative.

Different than any other crisis', which were limited to specific countries, the current pandemic has a worldwide effect. This new reality has IP agents, as well as their clients, working from home. Some companies have suspended their activities and others, unfortunately, are closing due to the economic recession created by the pandemic, all over a period of less than 4 months.

Due to social distancing policies to combat COVID-19, most Patent and Trademark Offices around the world are closed to the public. Also, in order to assure the continued protection of the IP rights, some offices have established additional measures.

In the United States Patent and Trademark Office (USPTO), the mandatory handwritten signature, still required in some cases, was temporally waived, recognizing the COVID-19 pandemic as an "extraordinary situation".

Oral proceedings before the European Patent Office`s Board of Appeals are suspended until the end of April.

In Italy, one of the main countries affected by COVID-19, the Italian Patent and Trademark Office (UIBM) is closed until further notice, providing only online and telephone support.

WIPO has also provided remedies to those who, due to local COVID-19 policies, were not able to meet deadlines. However, the extension is not automatic, and the interested party must provide sufficient evidence to obtain such benefit.

WIPO has also suspended their own postal communications, as well as the issuance of certificates of international registration in paper form, among other services (electronic issuance will continue).

Similar to other agencies, the Brazilian Patent and Trademark Office (BPTO) was closed to the public from mid March and the deadlines were suspended until the end of April.

The BPTO has also announced that the examination of patents involving COVID-19 research will be eligible for fast track examination, as long as such examination is requested before June 30, 2021.

These initiatives not only assure the maintenance of existent rights, but also encourage research for new innovation in a time of crisis.

Outside the administrative spheres, IP holders are also reinventing themselves. A network of approximately 75 3D printer owners, have come together to manufacture face shields that require two plastic straps to secure the PET shield. Most of these individuals are not working in the medical field. The masks are being donated to the main hospitals and are already been used by healthcare workers.

Hence, this year innovation is the key to protect and maintain IP rights all over the world, either by establishing a new way to work or to seek a new form of protection. Innovation has never been so crucial and imperative as in 2020 and should be, amidst everything, celebrated this April 26.

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