

Deadlines of the Portuguese Patent Office are no longer suspended (as from April 16, 2020)

When dealing with the pandemic situation caused by the coronavirus, at first the Portuguese Parliament approved a law establishing that all deadlines for acts with the Portuguese INPI (PTO) were suspended until further notice, on a date to be duly decided by the government. This law established that the suspension started on March 12, 2020, meaning that, from said date, all deadlines were suspended. When the suspension is lifted, the deadline countdowns would restart.

More recently, the Parliament approved a law establishing the end of the suspension of the deadlines, for acts performed exclusively by electronic means before the Portuguese INPI. This law entered into force on April 7, 2020.

The problem with this Law is that there were no acts performed exclusively by electronic means with the Portuguese INPI. All acts could be performed either by electronic means or on paper.

So, on April 15, 2020 a Government Decree-Law was published, establishing that all acts with the Portuguese INPI, must be performed by electronic means. This Decree-law entered into force on April 16, 2020.

For all pending deadlines, the suspension period that was in effect from March 12, 2020 to April 15, 2020 has been applied.

In conclusion, the deadlines for IP matters, namely the ones with the Portuguese INPI, are no longer suspended.

Since April 16, 2020 deadlines are running according to the usual terms.

Link to the Portuguese Patent Office, in Portuguese: <https://inpi.justica.gov.pt/Noticias-do-INPI/Alteracoes-dos-prazos-e-procedimentos-do-INPI>

Report compiled by



PORTUGAL

Gonçalo de Sampaio
Presidente da Direcção

president@aippi.pt

www.aippi.pt