

Kluwer Patent Blog

Announcement of the national program “MOVER” raises expectations for an increase in patent filings for green technology

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On December 30, 2023, the Brazilian government, through Provisional Measure No. 1.205/2023, announced the national program “Mobilidade Verde e Inovação – Green Mobility and Innovation” (MOVER), with the objective of expanding the sustainability requirements for automobiles and stimulating the development of new technologies in the areas of mobility and logistics.

The program, conceived by the Brazilian Ministry of Development, Industry, Trade and Services (MDIC), will promote the expansion of investments in energy efficiency, include minimum recycling limits in vehicle manufacturing and charge less tax to those who pollute less. By 2028, the government intends to grant R\$ 19 billion in tax incentives to companies that invest in decarbonization and meet the program’s requirements.

Among the expectations of the government’s program are investments in R&D along with tax benefits, and attraction of investments. In the case of R&D, the government plans to offer tax incentives in proportion to investments in research and development.

Regarding the attraction of investments, the provisional measure forecasts incentives to relocate industrial plants from other countries in Brazil, offering the right to financial credit as an advantage.

The National Association of Motor Vehicle Manufacturers (ANFAVEA) has announced that sales of electric cars are expected to grow 51% by 2024. In absolute terms, there will be approximately 142,000 electric or hybrid vehicles, corresponding to 6.2% of the automotive market.

To this end, several automotive companies, at the beginning of 2024, announced billion-dollar investments in the electric car segment in Brazil for the next years. France’s Renault announced an investment of R\$ 5.1 billion, South Korea’s Hyundai announced R\$ 5.5 billion, U.S. company GM R\$ 7 billion, Japan’s Toyota R\$ 11 billion, Germany’s VW R\$ 16 billion, and the Stellantis group R\$30 billion.

In the case of Hyundai’s announcement, it is in line with the various initiatives that the company has disclosed for the development of this segment. Recently, its subsidiary, Hyundai Mobis, which manufactures vehicle parts, reported that it had filed 1,200 patent applications in the electrification,

in-vehicle infotainment systems (IVI) and self-driving sectors. This figure is significant, since it represents almost half of the 2,500 patent applications filed by the company last year alone worldwide[1].

The Stellantis group stood out in Brazil as the private sector and automotive company that filed the most patent applications in 2023. According to the Ranking of Resident Applicants published by the Brazilian Patent and Trademark Office (BRPTO), Stellantis filed 58 patent applications, ranking third overall in the national ranking[2]. According to Stellantis, this is a result of the efforts to develop new technologies to create solutions for decarbonizing mobility.

In this context, since 2016, the BRPTO has had a program named “Green Patents”, whose objective is to combat climate change and speed up the examination of patent applications related to the preservation of the environment.

The five categories of green technologies listed by the BRPTO are: (i) alternative energies; (ii) transportation; (iii) energy conservation; (iv) waste management; and (v) sustainable agriculture. In other words, technologies that are listed in one of these categories are entitled to request for priority examination before the federal authority.

According to data provided by the BRPTO, in the last 5 years, 411 applications with priority examination have been requested for green technologies, of which 248 were granted and 151 rejected[3].

In addition, in 2023, the average time between the request for speed up and a decision for these types of applications was of approximately 7 months, a very short period compared to the time that the Office takes for common patent applications, *i.e.*, 6-7 years.

It is worth mentioning that this is one of several measures the BRPTO has been investing to combat its backlog and approach the international standards for the analysis period for granting patents.

Therefore, with the recent advances and investments in the green technology sector, together with the incentives that the Brazilian government has announced, it is expected that the number of patent applications for this type of technology will increase significantly over the next few years.

[1] Available at <https://www.kedglobal.com/automobiles/newsView/ked202403040010#:~:text=This%20represents%20half%20of%20the,trademarks%2C%20totalled%20more%20than%209%2C200.>

[2] Available at <https://www.gov.br/inpi/pt-br/central-de-conteudo/noticias/petrobras-mantem-lideranca-em-depositos-de-patentes-de-invencao-de-residentes-em-2023>

[3] Available at <https://www.gov.br/inpi/pt-br/servicos/patentes/tramite-prioritario/estatisticas-gerais>

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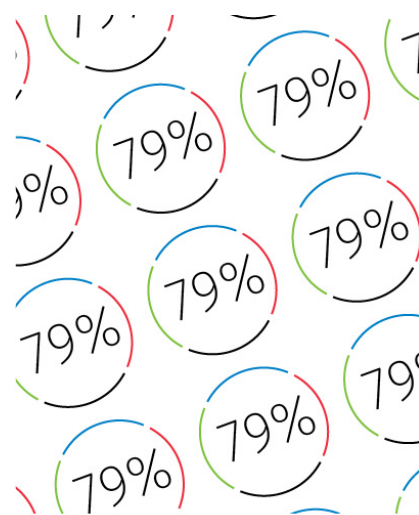
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