



Operational Guideline Framework for IP BRICS Cooperation

The Updated Version of the Operational Guideline Framework is hereby adopted on the occasion of the 18th IP BRICS Heads of Intellectual Property Offices (HIPO) Meeting, held in New Delhi, India, from 1-3 September, 2026



Background

‘IP BRICS¹’ was established in October 2012 at the sidelines of WIPO General Assembly in Geneva, Switzerland, to foster cooperation in the field of intellectual property among BRICS IPOs. Building on over a decade of joint projects, shared learning, and expanding membership, the BRICS IPOs developed the first version of the Operational Guide Framework during the 10th IP BRICS HIPO² Meeting held on 26th March 2018 in Chengdu, China. The Operational Guidelines Framework serves as a foundation for IP BRICS activities. Over time, these guidelines have been progressively revised to reflect the expansion of operations and membership, ensuring a more structured approach to cooperation that aligns with the growing scope of collaborative initiatives and the broader participation of IP BRICS members.

The participants of ‘IP BRICS’ include:

- a) The National Institute of Industrial Property (INPI), Brazil
- b) The China National Intellectual Property Administration (CNIPA), China
- c) The Egyptian Intellectual Property Authority (EGIPA), Egypt
- d) The Ethiopian Intellectual Property Authority (EIPA), Ethiopia
- e) The Office of the Controller General of Patents, Designs and Trade Marks (CGPDTM), India
- f) The Directorate General of Intellectual Property (DGIP), Indonesia
- g) The Iran Intellectual Property Center (IPC), Iran
- h) The Federal Service for Intellectual Property (ROSPATENT), Russia
- i) The Companies and Intellectual Property Commission (CIPC), South Africa
- j) The Ministry of Economy and Tourism (MOET), United Arab Emirates

This is intended for reference purposes, limited for internal use, and intended to be an evolving document which can be reviewed and updated as the cooperation enhances, and the needs of BRICS IPOs evolve.

Objectives

The BRICS IPOs agree on the following objectives of the IP BRICS cooperation:

- a) Promote IP development among BRICS member countries.
- b) Provide better services to IP stakeholders in BRICS countries.
- c) Enhance the role of IP for achieving the UN Sustainable Development Goals.
- d) Promote the representation and inclusion of BRICS countries in the development of the IP ecosystem within the BRICS Countries.

¹ “IP BRICS” means a forum of BRICS IPOs

² “BRICS HIPO” means the Head of a BRICS IPO or their duly appointed representative.

Principles

- a) This operational guidelines contain the procedure to be adopted by IP BRICS to further the cooperation under the Roadmap.
- b) It is understood that some BRICS IPOs may need consent³ from their respective Government, in accordance with the procedure applicable to them, before they can accept a proposal. This operational guidelines will not impact any such procedure, and the BRICS IPOs can act as per the procedure applicable to them.

The BRICS IPOs shall follow the established principles for IP BRICS cooperation:

- a) All matters, including but not limited to projects/proposals, in the IP BRICS will be first presented in the IP BRICS Coordination Group. A reasonable period of time⁴ will be given to other IP BRICS offices to formulate their opinion regarding the matter.
- b) If an IP BRICS office has not objected to a matter within the above-mentioned reasonable period of time, it will be presumed that such IP BRICS office has no objection to the matter.
- c) In the interest of harmony, all matters including but not limited to projects, proposals etc. that have been cleared by consensus⁵ by the IP BRICS Coordination Group shall subsequently be recommended for discussion at the BRICS HIPOs Meeting.
- d) A project or major decision will be regarded as officially valid once it has been approved by the Heads of the IPOs.
- e) If only part of the BRICS IPOs agrees to participate, and no formal opposition to the project's establishment was recorded, the project shall be established as a pilot project. The proposing office shall compile and circulate to all BRICS IPOs a final list of participating offices upon the expiry of the deadline. Progress and outcomes of the pilot project shall be reported to the BRICS IPOs.

Cooperation Scope

To achieve the above-mentioned objectives, the BRICS IPOs continuously explore their cooperation scope, which at present not only covers patents at the inception, but also expand to trademark and industrial design. Accordingly, the cooperation streams, which play an important role to effectively carry out the cooperation ever since the “BRICS Intellectual Property Offices Cooperation Roadmap” adopted in 2013, further increase to help secure more outcomes. Currently there are 8 cooperation streams in total, including:

- a) Training of Intellectual Property Office Staff and Examiner Exchange
- b) National IP Strategy and Promotion of Public Awareness on IP

³ “Consent” refers to an endorsement of a proposal.

⁴ “Reasonable period of time” refers to ordinarily a period of one month, unless the BRICS IPOs by consensus, agree to reduce or extend the period.

⁵ “Consensus” means collective acceptance of a proposal by the BRICS IPOs.

- c) Information Services on IP (Including ICT and Digital Transformation workshop)
- d) IP/Patent Processes and procedures
- e) IP Strategies for SMMES
- f) Collaboration in International Forums
- g) Trademarks
- h) Industrial designs

The cooperation areas would also extend to include protection of IP, administrative cooperation, exchanges and research on responses to digital and new emerging technologies, etc.

Project Methodology

According to the established course of cooperation, the BRICS IPOs jointly develop projects based on common interests.

Member countries may propose new projects and shall seek consensus among the offices through consultation. The new project will be adopted in principle at the HIPO Meeting. In exceptional circumstances, new projects may also be implemented in advance, with internal approval obtained from the Heads of each office. Such situations may arise if there is an urgency to start implementation, but formal adoption was delayed. The project shall be implemented according to the agreed scope and timeline, with progress reported regularly at BRICS HIPO. By consensus of the BRICS IPOs, the project can be terminated.

Given the nature of the project profile, available resources and circumstances at each office, projects may be implemented at their own pace while striving for the assurance of the achievement of the objectives. Inputs of stakeholders (e.g. IP users, the public, examiners from BRICS countries) may be solicited for the advancement of cooperation.

Capacity Building for examiners and officials at IP Offices

In order to enhance the examination capacity of the BRICS examiners, the examiner engagement mechanism can be introduced in the form of training and sharing best practices. To enhance, harmonise and streamline the work culture of the BRICS IPOs, the officials of the IP offices shall be trained and encouraged to communicate with each other.

Involvement of IP Users and the Public

IP users and stakeholders (including industries, agencies and other governmental institutes) shall be encouraged to participate in relevant IP BRICS cooperation activities.

At the BRICS HIPO, a public session may be set up as needed to update IP users about IP BRICS cooperation, to share experiences, and inputs may be solicited. The BRICS IPOs may help to identify the representatives of IP users from the respective country.

IP BRICS website

For openness and transparency of cooperation, the IP BRICS website has been set up in order to release cooperation information, project updates and outcomes.

In addition to the above, the website shall also be an information sharing platform and internal communication channel among BRICS IPOs. Management and update of the website shall be made in accordance with the adopted Management Policy Framework for the IP BRICS Website as shown in the Appendix A.

Operation Arrangement

During years of cooperation, BRICS IPOs have successfully chaired the IP BRICS in rotation and hosted the major meetings within their respective presidency periods. Each IP BRICS member must occupy the presidency of the group from January 1st to December 31st. Exceptions may occur with prior consensus of all members. The presidency will be transferred through a communication letter from the office that leaves to the one that assumes the position. In accordance with this tradition the chair office will continue to provide the venue and relevant facilities for the meetings.

As agreed, a yearly IP BRICS cooperation calendar shall be established in advance for early notification and preparation. The public may access the said agreed calendar via IP BRICS website.

The detailed arrangements adopted by the BRICS IPOs are as follows:

1. Heads Meeting of BRICS IPOs (BRICS HIPO)

BRICS HIPO usually focuses on cooperative progress, decisions for future work and discussion of strategic topics.

The BRICS office holding the IP BRICS Presidency, will act as Chair of the BRICS HIPOs meeting and facilitate discussions at the meetings.

The BRICS HIPOs will endeavour to meet on a formal basis at least once in the Member State that is holding the IP BRICS Presidency.

In order to promote the openness and connection with users and the public, a public session may be included into the agenda of BRICS HIPO with participants from industrial sectors and other stakeholders. During the public session, BRICS IPOs may create awareness among the attendants on the progress of IP BRICS and explore the topical issues in the IP field. The dates of BRICS HIPO shall be proposed by the chair office and may be agreed by the BRICS IPOs. It is preferably advised to be scheduled in March or April of the year.

A final summary report duly concluded, bearing the signature of the HIPOs, must be finalized within a month after each formal HIPO meeting convened. This report is not for public information. Additionally, the Chair office may prepare a 'IP BRICS Annual

Report', elaborating the work done within the IP BRICS calendar during their Presidency. Following consensus on the report, it will be published within three (3) months following the formal handover of IP BRICS Presidency, and the same may be published on the IP BRICS website.

2. Informal Heads Consultation of IP BRICS

The Informal Heads Consultation of IP BRICS is traditionally held on the sideline of WIPO General Assembly (WIPO GA). Such consultation is aimed at exchanging updates on the progress since the last BRICS HIPO. Considering the time limits of the consultation, a Coordination Group Meeting (CGM) is also held in advance to assure the outputs of the Informal Heads Consultation.

3. IP BRICS Coordination Group (CG)

The Coordination Group was established in 2016 to mainly serve as a platform for pre-negotiation and communication on cooperative projects, expected outcomes and arrangements of BRICS HIPO meetings.

A focal point contact person, appointed by the respective IP Head of Office, serves as the single point of contact for each of the IP Offices. Additional internal arrangements may be made by each office to assist the focal point. IP offices are encouraged not to make too many changes in the focal point persons to maintain the efficiencies of the Coordination Group overall.

The CG will meet at least three (3) times during a calendar year to further the cooperation under the Roadmap. CG should meet at least one month prior to any informal meeting of HIPO and two months prior to the formal HIPO meeting. All documents shall be submitted prior to these scheduled meetings.

4. Annual Examiners' Training Program of BRICS IPOs

In accordance with the practice established by ROSPATENT in 2016 and consensually agreed by all BRICS IP offices, each year the chair office organizes a BRICS Examiners' Training Program for examiners and experts of BRICS IPOs. If the chair office is not in a position to conduct the Examiners' Training Program, then the HIPO may decide for the said Program to be organized by ROSPATENT as the leading office with the consent of the chair office.

BRICS IPOs agree the purpose of the Examiners' Training Program is to exchange information on legal rules and examination practices among the examiners and/or relevant staff of BRICS IPOs. If possible, it is suggested that the Program may be held concurrently with IP BRICS CGM. Topics of the Program may involve a wide range of issues within the IP domain. The hosting office is entitled to adjust the contents of the Program with

consideration of the topics proposed by other BRICS offices. Activities aimed at capacity building for IP administrators may also be included in the Program if possible.

5. ICT and Digital Transformation Workshop

In order to implement the consensus of the 2021 HIPO meeting on strengthening cooperation in digitalization and emerging technologies, CNIPA hosted the first BRICS IT Workshop in 2021. In 2022, the Offices agreed on the necessity of sharing progresses on IT development and would continue to cooperate to enhance such exchanges among BRICS Partners.

BRICS IPOs agree that the workshop be hosted by the IP BRICS Chair Office on the needed basis; If the chair office is not in a position to conduct the workshop, the other interested office could host with the consent of the IP BRICS offices. The topics of the meeting may be determined by consensus of the IP BRICS Offices. The duration of the meeting can be determined according to the topics of the meeting. From the perspective of saving resources, the workshop and the Examiners' Training Program could be organized consecutively.

6. Other Meetings or Activities

BRICS IPOs are encouraged to organize IP BRICS related meetings or activities in accordance with its schedule and available resources. Such meetings and activities may engage but shall not be limited exclusively to participants from BRICS IPOs.

The above-mentioned regular meetings shall be held by the chair office in its country in offline mode as far as the conditions permit. But under emergency or unforeseen situations such as epidemics, etc., upon agreement of all the BRICS IPOs, scheduled offline meetings could be adjusted to virtual/hybrid mode. A Recommended Virtual Meeting Arrangements is shown in the Appendix B.

7. Engagement of Other Parties

Considering its role and importance, WIPO may be invited in BRICS HIPO meetings as an invited guest. The chair office may propose to invite WIPO to participate in BRICS HIPO if it deems necessary.

With consent of BRICS IPOs, the chair office may also invite other IP related parties to attend the BRICS HIPO held in their country. The invitation will not constitute a compulsory obligation on subsequent BRICS HIPOs. Access to closed sessions of the meetings may not include guests, unless agreed by all the BRICS IPOs.

The chair office may prepare and propose the invited guests list for the BRICS HIPO at its own discretion and communicate to all BRICS offices during the CGM meeting. Other BRICS IPOs may also propose the chair office to invite other IP related parties. The list

of invited guests should be presented in advance to IP BRICS members so that they can express whether they have any reservations about their participation.

8. Relations to IPRCM of CGETI

IP BRICS is a cooperation mechanism among BRICS IPOs and operates independently from any other BRICS cooperation mechanisms in the IP field.

As per the decision of BRICS Trade Ministers, the BRICS IPOs Cooperation mechanism and the IPRCM mechanism should enhance communication between each other in order to co-ordinate activities and avoid duplication of their work.

Considering a longer history and a well-established cooperation between the BRICS IPOs, an effort should be made in order to prevent IPRCM from repeating the earlier projects agreed upon and/or implemented by BRICS IPOs.