

BRAZIL FACTOGRAPH



Recent IP Milestones



August 2023

Brazil joins the Hague Agreement Concerning the International Registration of Industrial Designs

October 2019

Brazil joins the Madrid International Trade mark System

August 2018

Brazil approves the General Personal Data Protection Law (LGPD)

October 2016

Brazil joins Designview

February 2016

Brazil joins TMview

January 2016

Brazil joins TMclass

April 1978

PCT enters into force in Brazil

MAIN INFORMATION FOR REGISTRATION

Register nationally

INPI
Instituto Nacional da Propriedade Industrial
<https://www.gov.br/inpi/en>

INTERNATIONAL REGISTRATION

Source:
WIPO (2021)

PATENTS
PCT
since 1978
YES

DESIGNS
Hague Agreement
since 2023
YES

TRADEMARKS
Madrid System
since 2019
YES

MAIN IP PARTICULARITIES



Trade Marks

- Most non-traditional trade marks cannot be registered as TMs in Brazil (you may only register visual, position, and 3D marks)
- Registration of a TM lasts approximately 12 months



Patents & Utility Models

- Patent registration takes more than 5 years
- Brazil grants a 12-month grace period prior to the filing of the application during which disclosure of the invention does not affect the novelty requirement for patentability
- "Swiss-type" claims are allowed, though limited
- Utility models are protected and are granted for a 15-year term as of the date of application



Industrial Designs

- Unregistered designs are not protected in Brazil
- The validity of this registration lasts for 10 years from the filing date, renewable for 3 consecutive 5-year periods
- Brazil has just become a contracting party to the Hague Agreement (2023)



Copyright

- Copyright for computer programs lasts for 50 years counted from the 1st of January of the year subsequent to its publication or creation
- Databases are protected through copyright only

WIPO's Annual International Ranking of Brazil (applications by office)

TRADE MARKS

8

394,087 filings (similar to France)

PATENTS

11

24,232 filings (If Brazil was an EU country, it would be 2nd in the number of patent applications)

DESIGNS

65

5,468 filings (similar to Ukraine)

Source: WIPO (2022)

Did you know?

Brazil is the largest economy of Latin America, and the 11th largest EU trading partner?

Source: EU Trade (2023)

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