

Navigating Intellectual Property Complexity

Global trends, local opportunities, and strategic decisions

Di Blasi, Parente & Asociados

Intellectual property is a key driver of economic growth and innovation, encouraging the creation of new ideas, technologies and products across sectors such as artificial intelligence, standard essential patents, green technologies, telecommunications and entertainment. These industries are at the forefront of global competition, where the protection of intangible assets is directly linked to market leadership and long-term value creation.

However, important challenges remain in ensuring that companies can effectively protect their assets. A major issue is the lack of awareness, especially among small and medium sized businesses, about the economic value of intellectual property. This often leads to unauthorized use, financial losses and reduced competitiveness. In fast evolving markets such as digital platforms, streaming services and connected devices, piracy and misuse of trademarks and patents further intensify these risks, harming both revenue and reputation while also affecting consumer trust.

Addressing these challenges requires stronger international cooperation and more consistent protection standards, particularly in sectors driven by global interoperability such as telecommunications and standard essential technologies. Emerging tools, including blockchain and artificial intelligence, can enhance security, traceability and efficiency in the registration and management of intellectual property.

Expanding awareness, adopting advanced technologies and implementing well-structured strategies are essential to ensure that intellectual property continues to support competitiveness and sustainable economic development in an increasingly technology driven global economy.

Brazilian scenario in numbers

Increase compared to the previous year in grants: patents up **5.5%**, trademarks up **6.3%**, industrial designs up **106.6%**, and computer programs up **35.1%**.

Foreign companies account for more than **70%** of the top 50 patent applicants in recent years.

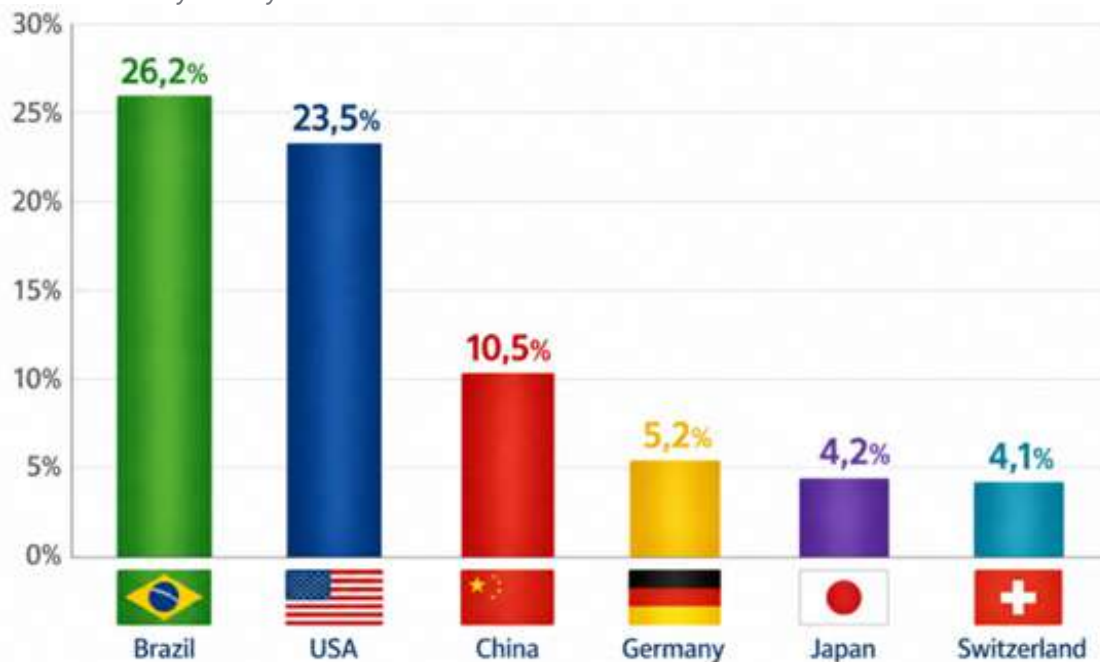
Growth of **6.7%** in patent filings compared to the previous year (*best result since 2016*), along with a **7.9%** increase in trademarks (*highest in the historical series*), industrial designs up **35.7%**, and computer programs up **36.2%**.

Approximately **10.5%** increase in resident filings across all types of protection compared to the previous year, including around **22%** in patents, **10%** in trademarks, and **32%** in industrial designs, demonstrating confidence in the domestic market.

Top applicants

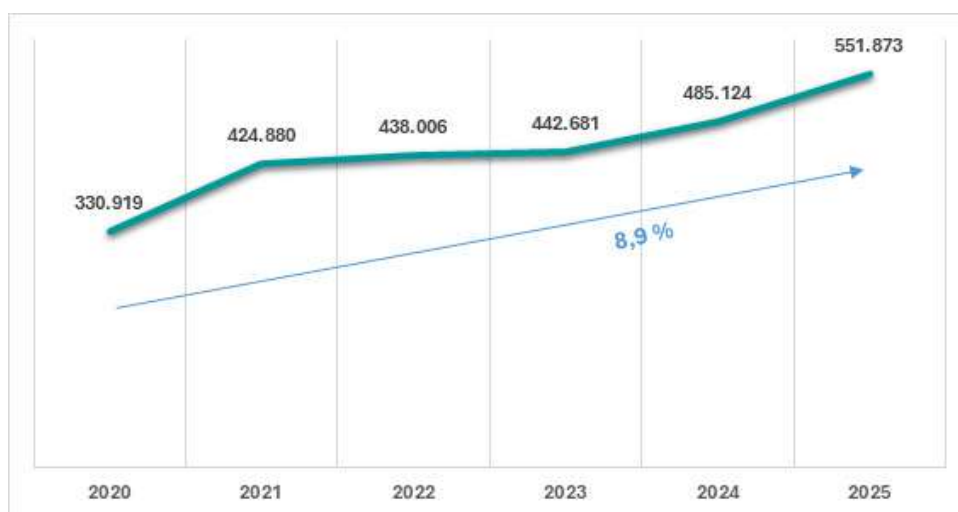
89 countries filed patent protection requests during the cumulative period from January to December 2025. Among the countries with the highest number of patent filings were:

% Share by country – Patents



Source: Brazilian Patent and Trademark Office (BPTO)

Number of Industrial Property Applications in 2025



Source: Brazilian Patent and Trademark Office (BPTO)

BPTO Action Plan 2026

For 2026, indicators and targets were revised, project deliverables adjusted, and the budget forecast updated. In total, there are 31 targets and 26 strategic projects, with an estimated budget of BRL 100.4 million.

The main challenge for 2026 remains improving operational efficiency, particularly reducing decision times for trademark and patent applications.

Key Indicators:

Indicator	2025 Actual	2026 Target
Patent Examination Decision Time (from filing)	4.3 years	3.5 years
Priority Patent Examination Decision Time	6.3 months	6.0 months
Trademark Decision Time (no opposition)	18.3 months	10 months
Decision Time for Trademark	19 months	18 months

The legal market is dynamic and requires professionals to remain constantly updated and attentive to the most relevant national and international issues. In this context, Di Blasi, Parente & Associados stands out for being at the forefront of legal discussions, closely following changes and trends that impact the market. With a strong commitment to innovation and excellence, we participate in relevant and pioneering projects with leading companies. Our highly qualified and specialized team of attorneys can offer customized and strategic solutions for companies seeking to navigate the challenges of a globalized market. In an increasingly complex and competitive environment, having the support of experts can make all the difference to a business's success.

Recent updates from the Brazilian Patent and Trademark Office (BPTO) and valuable insights

In recent years, the Brazilian Patent and Trademark Office (BPTO) have implemented a series of regulatory and operational adjustments that, while not amounting to a structural legislative reform, have reshaped the dynamics of industrial property protection in Brazil.

These changes are mainly concentrated in two areas: first, the revision of the fee structure, with a direct impact on how costs related to intellectual property assets are allocated, and second, the update of examination guidelines, with relevance to trademarks.

1. Trademarks

In the trademark field, these developments should be assessed in an integrated manner, as they simultaneously involve economic, procedural, and substantive aspects.

New pricing and grant logic

The fee schedule in force since August 2025 introduced a reorganization of the cost structure, with updated values and the inclusion of new services. In this context, the elimination of the grant fee stands out. After approval of the application, the BPTO now processes the grant automatically, with no additional payment required. The grant is later published in the official bulletin, and protection starts from that publication.

This change reduces administrative risks but removes the possibility of strategic reassessment after approval. From an economic perspective, there is a redistribution of the financial flow, with greater concentration at the filing stage. As a result, decision risk is brought forward, requiring greater accuracy in defining scope and assessing feasibility from the outset.

Pre-approved specification versus free wording specification

The updated fee schedule significantly increased the cost gap between pre-approved specifications and free wording specifications. Under the previous schedule, the values were close, but under the new regime, the cost per class increased from BRL 355 to BRL 880 for pre-approved specifications and from BRL 415 to BRL 1720 for free wording specifications.

From a strategic standpoint, pre-approved specifications remain the most suitable option in terms of cost and predictability, although limited to predefined descriptions. This approach tends to reduce the risk of formal objections and facilitates prosecution. Considering the elimination of the grant fee, filing under this format may represent a reduction of about 20 percent compared to previous total costs.

On the other hand, free wording specifications allow greater precision in defining the scope of protection and are more appropriate for specific activities, complex business models, or cases where the pre-approved list does not fully cover the intended goods or services. This added flexibility comes with higher costs and greater exposure to formal objections, requiring careful drafting.

Opposition with limited grounds

The BPTO now allows oppositions with a restricted scope, based exclusively on prior registered trademarks. In this format, the discussion is limited to conflicts between signs, without expanding to other legal grounds, enabling a more objective and potentially faster procedure. This tool is particularly useful in direct trademark conflicts, where the analysis focuses on the likelihood of confusion or association.

Despite its procedural simplicity, its use requires strategic assessment, as limiting the arguments may reduce the effectiveness of the defense in more complex cases involving multiple legal grounds.

Madrid Protocol

For designations to Brazil under the Madrid Protocol, the individual fee is now charged in a single payment of 251 Swiss francs per class for applications received from September 20, 2025, replacing the previous two step system.

Position marks

Position marks are recognized in Brazil, with protection limited to the combination of the sign and its placement in a specific position. This is an evolving tool but strategically important for sectors with a strong visual component.

High-renown status

The guidelines have been updated with more detailed methodological criteria, particularly regarding market and image surveys used to demonstrate well-known status. Recognition continues to provide protection across all sectors but now requires a more structured demonstration of public awareness of the mark.

Priority examination

The BPTO provides priority examination for trademark applications that fall within specific categories defined by regulation, including not only legal situations but also cases supported by strategic or public policy reasons. In such cases, the application is examined in a separate queue, allowing earlier analysis compared to the standard flow.

The request can be submitted at any stage, but priority only becomes effective after the closure of statutory deadlines, such as the opposition period. In strategic cases, access depends on proper justification and is subject to admissibility criteria and quota availability and is not granted automatically.

Slogans as trademarks

The BPTO now accepts the registration of signs containing advertising elements, including slogans, provided they do not serve an exclusive promotional function and demonstrate distinctiveness. This change removes the automatic refusal previously applied in practice and requires a concrete assessment of the expression, particularly regarding its distinctiveness. As a result, advertising content is no longer automatically rejected and may be registered if it performs a trademark function.

Acquired distinctiveness

Acquired distinctiveness is now expressly regulated, allowing the registration of signs that lack inherent distinctiveness if it is demonstrated, through consistent and continuous use, that the relevant public recognizes them as indicators of origin in the market. This mechanism expands the scope of protection but requires strong evidence and compliance with specific procedures.

2. Patents

Recent changes implemented by the BPTO reflect a clear effort to modernize the Brazilian patent system, both from a technical and procedural perspective. One of the main pillars of this modernization has been the more frequent use of public consultations to address sensitive issues before consolidating official guidelines. This approach allows the Institute to test interpretations, reduce uncertainty, and align its practice with international standards, particularly in areas where there is still significant room for interpretation.

Among the topics under discussion through public consultations, artificial intelligence stands out as a key area. The consultation on artificial intelligence aims to establish examination criteria for inventions involving algorithms, machine learning, and automation, providing greater clarity on what may or may not be considered patentable subject matter in this technical field.

Another highly relevant topic under public consultation is the new use of known products. The main objective is to review and refine the examination guidelines applicable to patent applications involving new uses, seeking greater technical rigor and alignment with legal patentability requirements, especially inventive steps. The initiative aims to reinforce the understanding that protection should only be granted when there is a clear demonstration of a new and unexpected technical effect, avoiding protection for obvious applications. In this context, the BPTO seeks to enhance legal certainty, standardize examination practices, and align Brazilian practice with international trends, particularly in sensitive sectors such as pharmaceuticals and chemicals.

These initiatives signal a shift in the Institute's approach, with a more active role in shaping examination criteria. In both artificial intelligence and new use cases, there is a clear movement to reduce subjectivity and provide greater predictability for applicants, which is especially important for more complex protection strategies.

On the procedural side, there have also been important developments. In December 2025, the BPTO introduced the automated issuance of patent certificates to prevent the lapse of granted applications due to non-payment of issuance fees, while also accelerating the process by reducing the time between grant and the effective issuance of the patent. Although this measure is primarily operational, it complements a broader set of actions aimed at making the system more efficient and predictable.

3. Technology Transfer, Licensing, and Franchise Agreements

In the area of technology transfer, licensing, and franchise agreements, Brazil has undergone significant changes in recent years, particularly with the overhaul of transfer pricing rules, now aligned with the arm's length principle and inspired by the guidelines of the Organization for Economic Co-operation and Development (OECD). In this new landscape, recordation of technology transfer agreements before the Brazilian Patent and Trademark Office (BPTO) is no longer a requirement for remitting royalties abroad. In addition, under the new transfer pricing regime, the tax deductibility of such payments is no longer subject to the previous system of fixed caps and prior administrative validation but rather assessed under the arm's length principle.

That said, recordation before the BPTO remains practically relevant. Although no longer mandatory for foreign exchange and tax purposes, it continues to serve as an important tool to ensure greater legal certainty, publicity, and enforceability against third parties, as well as to strengthen documentation regarding the existence, terms, and economic substance of the transaction. This role becomes even more important under the new regime, in which transactions involving intangibles between related parties require more robust analyses of comparability, adherence to market standards, and consistency with the arm's length principle.

Moreover, proceedings before the BPTO have become more flexible and aligned with the dynamics of international transactions, including the acceptance of electronically executed agreements, provided that the corresponding execution certificates or

signature extracts are submitted. This development facilitates the execution and updating of agreements involving technology, licensing, franchising, and other intangible assets, while also reinforcing the importance of strong contractual governance, with clear provisions regarding scope, exploitation of rights, remuneration criteria, and the parties' responsibilities.

Key Changes in Technology Transfer Agreements:

New role of recordation: Recordation before the BPTO is no longer required to enable the remittance of royalties abroad. For tax purposes, deductibility is now assessed under the arm's length principle, without the previous system of fixed limits and prior administrative approval.

Documentary relevance: Although no longer mandatory for foreign exchange and tax purposes, recordation remains relevant to ensure publicity, enforceability against third parties, and to strengthen the documentation of transactions involving technology, licensing, franchising, and other intangibles.

Flexibility and contractual governance: Procedures have become more flexible, including the acceptance of electronically executed agreements, provided that the relevant execution extracts are submitted. In this context, agreements with clear provisions on scope, rights, remuneration, sublicensing, and the parties' responsibilities are increasingly important.



4. Legislative

Finally, in the legislative landscape, the intellectual property environment in Brazil is going through one of the most active legislative periods in recent decades. The National Congress is simultaneously debating issues ranging from pharmaceutical patent protection to the regulation of artificial intelligence, and navigating this environment requires technical expertise and institutional insight, particularly given the fragmentation of discussions and the high volume of bills.

Some key legislative developments include:

Compulsory licensing on the agenda: Two bills are currently under discussion in the National Congress proposing compulsory licensing of tirzepatide, the active ingredient in Mounjaro and Zepbound: Bill No. 68/2026 in the Chamber of Deputies and Bill No. 160/2026 in the Senate. The Chamber has approved an urgency request for Bill No. 68/2026 by 337 votes to 19, allowing it to be voted directly in plenary without passing through thematic committees.

Modernization with risks to patent scope: Bill No. 2210/2022 is under consideration in the Senate and seeks to incorporate provisional patent applications into the Brazilian IP Law. Its most sensitive aspect is the proposed amendment to Article 32, which governs the right to amend applications during examination. The substitute text approved by the Senate Foreign Affairs Committee brings forward the cut-off for such amendments to the beginning of substantive examination, which, in scenarios of immediate examination, may prevent legitimate amendments within the originally disclosed subject matter and hinder grants that would currently be allowable, as seen in the case of the USP patent for the drug Vonau Flash.

New PTA bill: Brazil takes, on average, between five and seven years to examine a patent application, according to BPTO data. This timeframe reduces the effective term of protection provided by law and directly impacts investment decisions in research and development. To address this distortion, Bill No. 5810/2025 is exclusively dedicated to implementing Patent Term Adjustment (PTA) in Brazil. The bill provides for an adjustment of up to five years to the term of patents affected by examination delays attributable to the BPTO and not to the applicant, in line with the Brazilian Supreme Court decision in ADI 5.529/DF, which recognized the need to remedy state-caused delays in patent grants.

AI and copyright regulation: The Chamber of Deputies is reviewing Bill No. 2338/2023, which classifies artificial intelligence systems by risk level and establishes specific obligations for developers of generative AI, including rules on the use of copyrighted content. The bill, already approved by the Senate in December 2024, requires major technology companies to disclose which protected content was used to train their models and ensures that rights holders may prohibit such use or negotiate compensation.

Trademark use: Bill No. 512/2025 proposes amendments to the Brazilian IP Law to recognize trademark rights based on prolonged use without opposition, representing a shift from the traditionally registration-based system, with potential impacts on portfolio management strategies and enforcement decisions. The bill is still on its first committee stage.

Regulation of the profession of Industrial Property Agent: Bill No. 3876/2024, authored by Congressman Julio Lopes in partnership with ABAPI, under the leadership of partner Gabriel Di Blasi, regulates the profession of Industrial Property Agent (IPA) and creates a supervisory and regulatory body for the profession. The bill is currently awaiting a report in the Chamber of Deputies' Industry, Commerce and Services Committee (CICS). Proposed measures include formal recognition of the profession, clear qualification requirements with technical criteria and a proficiency exam, the creation of a federal council with disciplinary and ethical authority, and alignment with established models in benchmark jurisdictions. The current lack of regulation weakens enforcement and disciplinary powers, and, in the absence of a structured professional body, there is no formal code of ethics or disciplinary framework governing the conduct of professionals and firms. For foreign agents operating in Brazil through local correspondents, approval of the bill would represent a meaningful step toward technical standardization, professional accountability, and predictability in relationships - factors directly relevant to those entrusting their IP portfolios to Brazilian partners.

Legislative monitoring as part of IP strategy in Brazil: The IP agenda in Brazil is no longer defined solely by the BPTO or the judiciary but is increasingly shaped in Congress by legislators responding to public health pressures, technology sector interests, and electoral cycles. At Di Blasi, Parente & Associados, our Institutional and Government Relations practice monitors and analyzes relevant IP bills, mapping the political dynamics behind each proposal and translating legislative developments into strategic intelligence for our clients.

The overall reading of these developments is clear: Brazil is becoming a more efficient jurisdiction aligned with international best practices, but also more demanding from a strategic standpoint. Reduced bureaucracy does not mean simpler decision-making; rather, it shifts risk to earlier stages of the process. For foreign companies, this means that successful protection of intellectual property assets in Brazil increasingly depends on prior planning, local risk assessment, and integration between global strategy and local legal execution.

5. General and Digital Aspects

Digitalization and integration: The Institute has fully digitalized its services and strengthened integration with international systems, such as the Madrid Protocol.

Emerging topics: The BPTO has advanced discussions on the interface between intellectual property and new technologies, such as artificial intelligence and data protection.

6. Trends outlook

Brazilian scenario on Patent Term Adjustments (PTA) and necessary definition on the subject

Since the Brazilian Supreme Court declared the sole paragraph of Article 40 of the Intellectual Property Law unconstitutional, patents are no longer entitled to an automatic ten-year term after grant when examination delays occur. Protection now follows the general rule of twenty years from filing, or fifteen for utility models.

The Court modulated the effects of its decision due to the long validity of the rule, preserving past effects, except for pharmaceutical and health related patents, which immediately lost extended protection amid concerns over access to medicines during the pandemic. As a result, many pharma patents expired earlier, and no new patents benefit from extensions.

The Court also considered the provision a TRIPS Plus rule not aligned with other jurisdictions. Since then, pharmaceutical companies have filed lawsuits seeking patent term adjustments, but injunctions have mostly been denied and no final decision has been reached, leaving the matter open.

This scenario requires applicants to rethink litigation strategies. In cases where examination takes many years, even a successful court reversal of a rejection may result in minimal or no effective protection. In extreme situations,

a patent may be granted after the twenty-year term, becoming effectively useless.

Brazilian courts have shown reluctance to grant extensions, arguing that delays alone do not justify longer protection and that this could impact public health and market balance. While some decisions suggested limited extensions could be possible, higher courts have generally rejected this approach.

Pharma companies argue that specific delays not caused by applicants should justify case by case adjustments, but the judiciary has not embraced this view so far. At the same time, the backlog issue is acknowledged, yet courts understand that extending patent terms could transfer costs to society.

There is still hope for legislative changes, as bills discussing patent term adjustments are under debate. Until a clear judicial or legislative solution emerges, uncertainty remains for patent holders and companies operating in Brazil, especially in sectors heavily affected by long examination periods.



Navigating innovation: AI, compliance and data protection in the digital era

The rapid advancement of new technologies, especially artificial intelligence, has transformed how companies operate, innovate and compete. However, innovation today must go hand in hand with security, governance and regulatory compliance. In this context, digital compliance, data protection and responsible use of artificial intelligence form a strategic triad for sustainable growth.

With increased digital exposure, companies face growing risks related to data misuse, cyber threats and reputational damage. Implementing robust compliance programs and conducting data protection due diligence are essential measures to identify vulnerabilities, ensure adherence to data protection laws and mitigate legal risks. Governance structures, clear policies, continuous monitoring and internal training are key elements to strengthen organizational resilience.

Artificial intelligence, while offering efficiency and innovation, also raises important legal and ethical challenges. Issues such as transparency, accountability, bias and data privacy require careful attention. In Brazil, the ongoing development of a legal framework for artificial intelligence reflects the need to balance technological progress with the protection of fundamental rights. The proposed regulation adopts a risk-based approach, establishing different obligations depending on the potential impact of AI systems.

High risk applications, such as those used in healthcare, finance and recruitment, demand stricter oversight, including impact assessments and governance mechanisms. At the same time, principles such as human oversight, explainability and non-discrimination are central to ensuring trust in AI systems.

Another relevant aspect involves intellectual property and copyright, particularly regarding the use of protected content in the training of AI models. Transparency obligations and respect for rights holders are becoming increasingly important in this scenario.

Ultimately, companies that integrate compliance, data protection and ethical AI governance into their strategies will be better positioned to innovate with confidence. As regulation evolves, combining legal expertise with technological understanding will be essential to navigate risks and unlock the full potential of digital transformation.

Strengthening legal certainty: Brazil's role in global innovation and trade

Recent unilateral trade measures imposed by major economies have once again placed developing countries at a strategic crossroads. In this context, Brazil has responded with the Economic Reciprocity Law, which allows the adoption of countermeasures, including the suspension of intellectual property rights, as a potential tool in international trade disputes. While such mechanisms may reflect a sovereign response, they also raise complex legal and economic considerations. Intellectual property occupies a central role in the global trade system, and any restriction on patents, royalties or licensing arrangements must be carefully assessed considering international commitments, particularly those established under the TRIPS Agreement of the World Trade Organization.

Measures that affect intellectual property rights, if not technically grounded and proportionate, may increase regulatory uncertainty and impact investor confidence. This is especially relevant in sectors driven by innovation, where legal predictability and protection of intangible assets are essential for long term growth.

At the same time, Brazil has established safeguards within its regulatory framework, including technical review, public consultation and impact assessment requirements. These mechanisms contribute to a balanced approach, ensuring that any response to external pressures is aligned with both domestic priorities and international obligations.

Beyond trade policy, strengthening the national innovation environment remains a key priority. Continued improvements in patent examination procedures and the preservation of full technical analysis by the Brazilian Patent Office are essential to maintain confidence in the system. Limiting procedural rights or reducing examination standards may create barriers to innovation and discourage investment in research and development.

In this scenario, legal advisory plays a strategic role, supporting companies in navigating complex regulatory environments and aligning business decisions with evolving legal frameworks. A balanced approach that combines protection of national interests with legal certainty and constructive international dialogue reinforces Brazil's position as a reliable and attractive destination for innovation and investment.

Ultimately, intellectual property should remain a pillar of stability and growth, contributing to competitiveness, fostering technological development and strengthening Brazil's integration into the global economy.



Brazil's patent system: navigating new rules and enforcement strategies

Brazil, one of the world's largest economies, has a long-standing patent system and remains the leading jurisdiction in Latin America. Despite moderate filing numbers, recent efforts by the Brazilian Patent and Trademark Office have focused on reducing backlog and improving examination efficiency.

A major and controversial shift occurred in 2023 with new guidelines restricting amendments during administrative appeals. Applicants are no longer allowed to introduce new data, modify specifications or adjust claims, even to clarify or limit scope. These changes were later reinforced by additional regulations and culminated in rules that also affected pending appeals, creating legal uncertainty.

The measures faced strong criticism for deviating from international practices and limiting applicants' rights. In response, court actions were filed to prevent retroactive application of the new rules. Many decisions have favored applicants, reinforcing legal certainty and the principle that procedural changes should not affect past filings.

Patent litigation in Brazil follows a dual system. Infringement cases are handled by state courts, while validity disputes are decided by federal courts. Specialized judges in key jurisdictions contribute to more consistent decisions, although technical experts play a central role in guiding outcomes.

Invalidation actions may seek to cancel patents fully or partially, ensuring that only claims that meet legal requirements remain enforceable. This balanced approach protects both patent holders and market competition. In infringement disputes, courts rely heavily on expert analysis to determine whether a product falls within the scope of a patent.



The growing importance of SEP (Standard Essential Patents) enforcement in Brazil

Brazil has increasingly emerged as a relevant jurisdiction for disputes involving standard essential patents, reflecting both the size of its market and the robustness of its legal framework for intellectual property enforcement. The country offers a structured environment where innovation is protected while ensuring procedural balance for all parties involved.

One of the defining features of patent enforcement in Brazil is the availability of preliminary injunctions. Courts may grant urgent measures based on a preliminary assessment of the likelihood of rights and the risk of harm, often within a short timeframe. This procedural mechanism allows rights holders to act swiftly to prevent the continued use of protected technologies, particularly in sectors driven by technical standards.

At the same time, the system provides important safeguards. Defendants may challenge the technical relevance of the asserted patent, demonstrate the absence of infringement or seek to suspend injunctions through guarantees or appeals. The central role of court appointed experts ensures that technical matters are carefully assessed, contributing to more consistent and reliable decisions.

Brazilian practice also allows for strategic use of declaratory actions and invalidity proceedings, enabling parties to proactively address potential disputes. This contributes to a more predictable litigation environment, where both patent holders and implementers can rely on established legal avenues to protect their interests.

Although discussions surrounding licensing terms for standard essential patents continue to evolve, including principles related to fair and reasonable conditions, the current framework already reflects a balanced approach. Authorities have shown increasing attention to the broader market implications of such disputes, signaling a growing alignment between competition policy and intellectual property enforcement.

Overall, Brazil presents a mature and evolving landscape for patent disputes, combining efficient judicial tools with legal certainty. This balance reinforces the country's position as an attractive jurisdiction for companies operating in technology intensive industries and seeking a reliable environment for the protection and enforcement of their intellectual property rights.



Innovation management and brand strategy: why timing defines competitive advantage

In the context of business innovation, the timing of trademark registration plays a decisive role in the success of new ventures. It is common for companies to delay trademark protection until after launching products or services, revealing a disconnect between innovation management and intellectual property strategy. This misalignment weakens the legal foundation necessary to support brand positioning and long-term customer loyalty.

In many cases, companies prioritize corporate and tax formalities while overlooking trademark registration, even after the brand has already been disclosed and commercial activities have begun. This approach creates significant legal and economic risks. Without proper protection, businesses may face disputes with prior rights holders, unauthorized use by competitors, brand dilution and costly rebranding processes, often resulting in financial losses and damage to reputation.

Trademark registration is not merely a formal requirement but a strategic asset. It ensures exclusivity over a sign that distinguishes products or services, enabling companies to capture the economic value generated by their investments in innovation and market development. Failure to secure timely protection may lead to injunctions, restrictions on use and disruption of ongoing business activities.

Although intellectual property rights alone do not guarantee commercial success, they are essential to reduce uncertainty and support competitive advantage. Their effectiveness is enhanced when combined with complementary assets such as marketing strategies, distribution channels and strong business relationships.

Integrating intellectual property management into the early stages of innovation allows companies to conduct prior searches, mitigate risks and ensure legal certainty before market entry. At the same time, organizations must be prepared to respond to changes and adapt their strategies when necessary, preserving their competitive position and market relevance.

Global best practices increasingly recognize intellectual property as a key element linking innovation and business strategy. When properly managed, it enables companies to transform ideas into valuable assets, supporting growth, attracting investment and strengthening market presence.

Ensuring timely trademark registration is therefore a fundamental step in protecting investments, reinforcing brand identity and enabling innovation to reach the market in a secure and competitive manner.



Geographical indications in Brazil: strengthening value through integrated intellectual property strategies

The consolidation of intellectual property as a tool for economic value creation in Brazil increasingly involves geographical indications, which complement trademark strategies rather than replace them. Geographical indications protect the link between a product, its origin and the collective reputation built over time, while trademarks allow individual producers to differentiate themselves and develop their own market positioning. Together, these mechanisms reinforce legal protection and support long term value creation.

Without proper management of trademarks and other intellectual property assets, geographical indications may be exposed to misuse and conflicts over the use of geographic names. This can weaken control and enforcement, undermining both legal certainty and economic value. Clear rules of use, well defined technical criteria and effective control mechanisms are therefore essential. When these elements are aligned, geographical indications operate as a collective seal of origin and quality, while individual trademarks enable differentiation and competitive positioning, reducing internal conflicts and strengthening the production chain.

Other intellectual property rights also play a role in this ecosystem. Patents and utility models may protect technical improvements and production processes without affecting the origin and standards ensured by geographical indications. In parallel, biodiversity regulations establish rules for access to genetic resources and traditional knowledge, helping prevent misappropriation and ensuring compliance with legal requirements.

Brazil has made significant progress in recognizing geographical indications, with a growing number of protected products across diverse regions and sectors. While registration is a key step, effective protection depends on coordinated efforts among administrative authorities, the judiciary and rights holders. Strengthening this institutional framework is essential to ensure efficiency and predictability.

International protection remains a challenge due to differences in legal systems, conflicts with existing trademarks and registration costs. In addition, many regions lack the legal guidance needed to structure governance and documentation, making international recognition more complex.

Brazil's territorial and cultural diversity represents a strategic asset. In this context, geographical indications preserve identity, trademarks build market positioning and innovation ensures competitiveness, enabling the transformation of regional potential into sustainable economic development and global market integration.



Brazil's data protection authority enters a decisive phase with health sector in focus

The 2025-2026 Regulatory Agenda of Brazil's Data Protection Authority marks a transition toward a more mature phase of data protection enforcement. After an initial period focused on institutional development and general principles, the current stage emphasizes technical precision, clearer rules and structured enforcement of data protection obligations.

Sensitive data, particularly biometric and health related information, has become a central priority. These categories involve higher risks, as they directly affect individual identity, dignity and integrity. By focusing on these areas, the authority acknowledges the need to balance technological innovation with the protection of fundamental rights.

Biometric technologies, such as facial recognition, raise concerns that go beyond traditional privacy. Issues such as continuous monitoring, potential discrimination and unintended secondary uses demand careful regulation. Future guidelines are expected to address legal bases, impact assessments and minimum-security standards, requiring a proportional approach that ensures both legal certainty and practical viability.

The health sector presents additional complexity. Hospitals, clinics, laboratories and research institutions rely on constant data sharing, which is essential for service delivery and scientific progress. At the same time, the risks associated with misuse or data breaches are significant. Regulatory developments are expected to provide more detailed guidance on data minimization, retention, anonymization and alternative legal grounds beyond consent. A key shift lies in the increasing focus on accountability. Organizations will be required to demonstrate compliance through proper documentation and evidence, moving beyond formal policies to operational consistency and governance practices. Data protection impact assessments, security measures and contractual arrangements will likely become central elements in regulatory scrutiny.

The authority has also signaled a stronger enforcement approach, with planned supervisory activities including audits, incident investigations and sector specific monitoring. This reflects a risk-based model, where oversight is guided by the potential impact on individuals and society.

This evolving landscape represents a dual test. Organizations must strengthen their data protection frameworks, while the authority must ensure that regulation remains clear, balanced and predictable. The outcome will shape the future of data protection in Brazil, influencing legal certainty, innovation and trust in the digital environment.



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We act with a personalized and strategic approach, ensuring the best client experience while supporting business growth under our guiding principle:

**We protect innovation.
We innovate to protect.**

**OUR
APPROACH**

Our multidisciplinary team supports clients throughout the entire lifecycle of their demands, combining technical expertise with a deep understanding of each client's business priorities. This integrated approach enhances efficiency and ensures precise, high-quality deliverables.

We focus on strategic advisory and proactive risk management, working closely with clients to design and implement effective IP strategies aligned with their business objectives. Leveraging our commercial insight and extensive global network, we provide sophisticated and customized solutions.

Recognized for handling complex IP matters, we assist a diverse client base, from startups to multinational corporations, entrepreneurs, and research institutions, delivering the guidance necessary to safeguard intellectual assets and maximize their commercial value.

Practice areas

We provide comprehensive legal and technical services for the protection and management of a wide range of intangible assets, including:

- **Industrial Property**
- **Software**
- **Franchising**
- **Competition Law**
- **Dispute Resolution**
- **Compliance**
- **Digital Law and Data Protection**
- **Copyright**
- **Fashion Law**
- **Business Contracts**
- **Entertainment, Media, and Sports**
- **Regulatory Affairs**
- **Biotechnology**
- **Life Sciences**
- **Telecommunications**



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These recognitions not only highlight our expertise but also serve as an important benchmark, enabling continuous improvement based on market and client feedback.

International coverage

As a strategic IP hub, we provide seamless international support through a well-established global network of trusted partners. This structure allows us to efficiently coordinate multijurisdictional matters, streamline processes, and optimize cost management.

We collaborate with highly qualified foreign associates, selected through rigorous criteria, ensuring consistent quality and reliability in all jurisdictions where our clients operate.



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