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IP in Brazil

2025 year in review

In this guide, we summarize the most significant **IP developments** that have occurred in **Brazil** in **2025**.



Patent reexamination under new rules: Brazilian PTO (BRPTO) updates post-appeal procedures

On May 27, 2025, the Brazilian Patent and Trademark Office published Ordinance No. 04/2025, establishing procedures for continuing the technical examination of patent applications (covering inventions and utility models, including certificates of addition) following a second-instance decision that sets aside a refusal (publication code 100.2) and returns the case to the first instance.

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Telecommunications inventions in Brazil: PPH program updates

The BRPTO announced on March 25, 2025, the updated criteria for receiving PPH requests in 2025 related to the field of Telecommunications.

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BRPTO and Brazilian Mint partner to combat piracy and enhance IP protection

The BRPTO has taken another step towards protecting Intellectual Property (IP) assets and fostering innovation in Brazil. On Tuesday, July 1, the BRPTO and the Brazilian Mint signed a memorandum of intent focused on combating piracy and promoting IP culture.

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BRPTO updates PPH program quotas and priority track for electric communication patents

The BRPTO issued Ordinance No. 16/2025, which was officially published in Official Bulletin No. 2856, on September 30, 2025. This new regulation revokes Ordinance No. 03/2025 and establishes updated guidelines for the acceptance of requests under the Patent Prosecution Highway (PPH) Pilot Project, effective October 1, 2025.

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Acquired distinctiveness in the spotlight: BRPTO's new rules and opportunities

The BRPTO published in the Official Bulletin No. 2840 dated June 10, 2025, Ordinance No. 15/2025, which allows the possibility of demonstrating acquired distinctiveness through use during trademark examination.

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From trademark rejection to registration: BRPTO shifts its position on advertising expressions

Our local team of trademark attorneys successfully took advantage of an updated interpretation of the BRPTO to overturn a prior refusal and secure the registration of the INGETEAM ELECTRIFYING A SUSTAINABLE FUTURE trademark, an international designation that had initially been refused in Brazil for allegedly functioning as an advertising slogan.

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Brazil joins the Budapest Treaty: a milestone for Biotechnology and Intellectual Property

On October 20, 2025, Brazil officially filed its instrument of accession to the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for Patent Procedure at the World Intellectual Property Organization (WIPO) in Geneva, thus becoming the 92nd contracting party to the Treaty.

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Fast-track examination for trademarks in Brazil

On August 7, 2025, a new regulation issued by the BRPTO came into force, significantly expanding and systematizing the priority examination for trademark applications.

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BRPTO invites public consultation on patent examination guidelines for artificial intelligence

This initiative marks an important step in shaping the future of AI patent protection in Brazil, allowing stakeholders, industry, academia, and practitioners to contribute to the framework that will guide the examination of AI-related inventions.

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BRPTO announced an increase in official fees that took effect on August 7, 2025

On May 13, 2025, Ordinance No. 110 regarding the Brazilian Patent and Trademark Office's (BRPTO) 24.1% increase in official fees was published in the Official Bulletin No. 2836.

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New Sanitary Guidelines for Tobacco Packaging

On January 15, 2025, the Brazilian Health Regulatory Agency (ANVISA) presented a comprehensive manual to assist manufacturers adapt to Regulatory Instruction No. 332/2024. This regulation introduces updated health warnings and messages for tobacco-derived products packaging.

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