



Brazil: Recent developments of the bill for financial autonomy to the Brazilian Trademark and Patent Office

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This week, the Brazilian Senate's Economic Affairs Committee (CAE) approved a bill that prevents the budgetary contingency of funds allocated to the Brazilian Patent and Trademark Office (BPTO). The proposal was granted urgent status and will now move to a plenary vote, with no date yet set.

The main goal of the bill is to ensure that BPTO's budget is fully applied to its operations, preventing funds from being blocked or redirected by the federal government. In practice, this means greater predictability and financial autonomy for the agency.

If approved, the measure could have positive impacts on several fronts:

- For BPTO: it guarantees effective use of funds and contributes to allowing the agency to increase the efficiency of their services.
- For the users of the IP system: it may shorten processing times and make IP registration more efficient.
- For the government: it calls for better budgetary planning and predictability of revenues and expenditures.
- For society: it encourages innovation, technological development, and national competitiveness.

A similar issue is also under discussion in the judiciary, in a lawsuit filed by the Brazilian Intellectual Property Association (ABPI) a few years ago. In a trial court ruling, Federal judge Caroline Tauk determined that the federal government must ensure the resources necessary for BPTO's proper functioning, recognizing "the structural nonconformity existing in the Brazilian industrial property protection system". The decision, however, is still pending an appeal filed by the federal government.

The approval of this bill represents an important step toward strengthening Brazil's intellectual property system, reducing the backlog of applications, and fostering a more innovation-friendly environment.

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