

Law & Practice

BRAZIL: New Law Puts Onus on Brand Owners to Protect Minors Online

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Brazil's new Law No. 15,211/2025, establishing the Digital Statute for Children and Adolescents (ECA Digital), is a groundbreaking framework for protecting minors in digital environments, including platforms, social networks, apps, and electronic games.

The law, which was enacted in September 2025, will take full effect in March 2026 and is the first legislation in Latin America exclusively focused on safeguarding children and adolescents online.

ECA Digital updates Brazil's existing child protection laws to address the risks of hyperconnectivity and immersive technologies. It imposes concrete obligations on digital companies, including:

Advertising Restrictions: Prohibits targeted ads based on emotional or behavioral profiling of minors, including immersive formats (i.e., AR (augmented reality), VR (virtual reality), and XR (extended reality)).

Gaming Controls: Bans loot boxes in games that children and adolescents could

Monetization Limits: Requires adoption of configurations that avoid compulsive use of products and services by children and adolescents and outlaws monetization and promotion of content that portrays children and adolescents in an eroticized or sexually suggestive way, or in a context specific to the adult sexual universe.

Content Moderation: Requires immediate removal of harmful content involving minors, such as pornography, bullying, or gambling—upon notification, without a court order.

Data Protection: Mandates reliable age verification and parental consent for users ages 12 to 18.

Transparency: Requires that platforms with more than one million underage users publish biannual reports on complaints, moderation, and safety measures.

Non-compliance may result in fines up to R\$ 50 million or 10 percent of a company's Brazilian revenue, along with possible suspension or prohibition of operations.

For brands, ECA Digital is more than a compliance challenge; it is a reputational turning point. Sponsoring content or partnering with influencers targeting minors now requires rigorous due diligence. Missteps can lead to public backlash, regulatory scrutiny, and long-term damage to brand equity.

Conversely, brands that align with ECA Digital can elevate their reputation as ethical leaders in digital responsibility. Companies demonstrate a commitment to social values that resonates with today's consumers by:

- Adopting child-safe advertising practices;
- Investing in transparent data governance; and
- Supporting parental control tools.

In Brazil's evolving digital landscape, protecting minors is a strategic opportunity, not just a legal obligation. Brands that embrace this shift can build trust, foster loyalty, and position themselves as champions of responsible innovation.

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