

# BRAZIL: IP Office Unveils the 2024–2025 Regulatory Priorities

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The Brazilian Patent and Trademark Office (PTO) has announced its Regulatory Agenda for 2024–2025, delineating key areas for regulation that could significantly impact rights and responsibilities related to industrial property.

This article briefly explores two pivotal themes from the Agenda, unveiled on March 20, 2024, that promise to reshape the contours of trademark registration and enforcement in Brazil.

One of the most anticipated developments is the reevaluation of the application of Article 124(VII) of the Industrial Property Law, which traditionally restricts the registration of slogans as trademarks. The Brazilian PTO aims to establish a clear framework for the interpretation, application, and harmonization of this provision. This reevaluation, scheduled for the second half of 2024, may broaden the scope of registrable trademarks, allowing businesses to secure stronger rights in their marketing phrases, a change eagerly awaited by trademark practitioners and businesses at large.

The Agenda also sets its sights on the registration of secondary meaning trademarks. The Brazilian PTO plans to formalize the criteria for examining distinctiveness acquired of such marks in the second half of 2025, a move that aligns the country with international standards and current case law, and provides a clearer pathway for the recognition and protection of this type of nontraditional trademark.

As these regulatory themes unfold, they promise to offer new opportunities and challenges in trademark prosecution and enforcement, underscoring the importance of proactive engagement with Brazil's dynamic intellectual property environment.

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