

Leaflet Patents in Brazil

Duration

The duration is 20 years from the filing date.

Compulsory use

A patent must be sufficiently worked in Brazil by manufacture of the patented product or use of the patented process so as to satisfy the needs of the market within 3 years from grant of the patent (local working). This implies that, in principle, importation is not considered sufficient working, except for cases where non-working or insufficient working in Brazil is due to lack of economic viability.

Marking

Marked products have no implications for awarding compensation in case of past infringement. Marking of articles subject to patent application or patented articles is not mandatory; typical marking is 'Patente de Invenção No....', or 'BR No....'.

License

A license agreement must be recorded with the Brazilian Patent and Trademark Office and the recordal be published in order to become effective as against third parties. We recommend you to contact us if you intend to grant a license under your patent in Brazil.