

"Intellectual Property": read articles about patents, metaverse, copyright and more

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Topics

Intellectual Property Patents

INPI Patent Metaverse

Intellectual Property Roadmap for Foreign Businesses in Brazil

By Antonella Carminatti, André de Moura Reis and Fernanda Quental

Many foreign companies, when planning expansion into other markets, neglect aspects that can significantly affect their business, including protection of intellectual property assets in view of local legislations. It is common that legal specificities of each territory on which protection is intended are not taken into account during the decision-making process, frustrating expectations of market positioning and return on investments made.

The importance of Trade Secrets in Merger and Acquisition Operations

By Pedro Barroso and Tathyana Candu

Although not subject to legal definition, business secrecy is widely recognized by doctrine and jurisprudence.

Copyright in Architectural Projects: Plagiarism Investigation

By Pedro Barroso and José Humberto Deveza Assola

The Copyright Law (Law No. 9.610/1998) protects, as intellectual works, "creations of the spirit, expressed by any means or fixed on any support, tangible or intangible,

known or to be invented in the future”, specifically dedicating item X of article 7 to projects, sketches and plastic works concerning architecture.

Exceptions to Copyright. What are the limits for citations?

By Raysa Vital Brazil and Tathyana Candu

Creations of the spirit are considered authorial works, provided they are expressed by any means or fixed on any support . The protection of the author’s work starts at the time of its creation, regardless of registration and lasts for 70 years counted from January 1 of the year following the death of its author or its fixation, depending on the type of work.

Image rights of supporting actors in biographical works

By Pedro Barroso and José Humberto Deveza Assola

The Supreme Court when judging in 2015 the Declaratory Action of Unconstitutionality No. 4.815, which relates to the interpretation of articles 20 and 21 of the Brazilian Civil Code in the context of biographical publications, ruled by the prioritization of freedom of information and artistic creation, emphasizing the unenforceability of consent of the person biographed and also the unnecessary authorization of people portrayed in the work as supporting characters.

The weight of technical-functional features on the examination of industrial designs

By Ana Cristina Müller and André de Moura Reis

In Brazil, industrial designs have certain limitations to their protection, as defined by the IP Law. For instance, objects or patterns that are contrary to morals and good customs or that are contrary to the liberty of conscience or belief are not registrable as industrial designs.

Current interpretation of Article 32 of the Industrial Property Law and its consequences

By Ana Cristina Müller and Lilian Ghitnick Arcalji

When a patent application is filed, the filing date is established as a time frame to define the matter originally disclosed, which indicates the invention to be protected via patent.

Changes in the New Foreign Exchange Framework (Law No. 14.286/21) and its Impacts on Technology Contracts

By Jana Fraccaroli and Roberta de Melo Doyle Maia

Currently, it is necessary to record contracts related to license of use of industrial property rights (trademarks, patents, industrial designs and topography of integrated circuits), technology supply, technical and scientific assistance services and franchising before the National Institute of Industrial Property – INPI for the following purposes:

Luxury Brands in the Digital Environment

By Fernanda Quental and Jana Fraccaroli

The global market for luxury products and services continues to gain prominence and growth, even with the economic impacts caused by the Covid-19 pandemic. The demand for luxury continues strong and with great projection of global growth thanks to its capacity for adaptation and innovation.

Patents and the Metaverse – Technologies for Development of Platforms

By Ana Cristina Müller and Valter Silva Couto

On September 13, 2022, the Federal Court of the State of Paraíba (“JFPB”) established an interesting precedent in a conciliation hearing: it was the first time in Brazil that a

hearing occurred “inside the Metaverse”.

Artificial Intelligence in the Health Sector and Intellectual Property

By Gustavo Vieiralves, Letícia Viana and Lilian Ghitnick Arcalji

Artificial intelligence (“AI”) is a broad concept that encompasses machines and systems that are capable of simulating the human behavior in terms of learning and creating.

Patents of Interest of National Defense - A Brazilian and French Perspective

By Antonella Carminatti and Gabriel Viana Souza

Article 75 of the Industrial Property Law (Law 9,279/96) guarantees the State the right to intervene in the processing of patent applications and/or in the exploitation of patents that involve inventions that may affect National Security, provided that such requests have been deposited primarily in Brazil. Inventions in the area of the arms or nuclear industry, among others, can be cited as examples of cases that can be included in this device.