

Intellectual Property and Data Protection News

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Authors

Ana Cristina Müller, D.Sc.

Lilian Ghitnick Arcalji

André de Moura Reis

Jana Fraccaroli

Pedro Tavares

Brazil's PTO consolidates priority processing of patent applications

On June 30, 2020, Brazil's PTO, the National Institute of Industrial Property – INPI, published Directive (Portaria) 247, which consolidates all the various types of priority processing for patent applications filed with the INPI. The Directive came into effect on July 30, 2020.

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International trademark registration and the Madrid Protocol – data from the first 9 months of the Protocol in Brazil

The Madrid Protocol is an international treaty that facilitates the registration of marks in various countries around the world. Brazil acceded to the treaty in October 2019, joining 120 countries that represent 72% of the world's population and 81% of the global GDP.

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Brazil's General Data Protection Law is postponed to May 2021 by Provisional Measure 959/2020

Originally, the General Law on Protection of Personal Data (LGPD – Lei Geral de Proteção de Dados Pessoais) was expected to come into force in August 2020. A postponement had already been under discussion because some companies had not been able to bring their practices into conformity with the legislation. With the Covid-19 pandemic, that discussion intensified, resulting in Provisional Measure 959/2020 (MP 959/2020) and the promulgation of Law 14.010/2020.

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Ratification of the Nagoya Protocol in Progress on National Congress

Approved by the House of Representatives last July 8, Legislative Decree Bill (PDL) 324/2020 now awaits approval by the Senate to ratify the Nagoya Protocol, regarding access to genetic resources and associated traditional knowledge, and sharing of benefits arising from the exploitation of biological

diversity. The move represents a major step forward since the international agreement was signed in 2010 at the 10th meeting of the Conference of the Parties to the United Nations Convention on Biological Diversity (COP-10) in Nagoya, Japan, by representatives of several countries, including Brazil, and the approval of the Brazilian Biodiversity Law No. 13,123 in 2015.

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The role of brands in the anti-racist movement

The recent protests for racial justice across the United States and in other parts of the world, in response to the killing of George Floyd, among other causes, have strengthened the Black Lives Matter movement and rekindled the debate about the positioning of brands on issues such as racism.

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Brazil's Senate approves Bill on fake news

On June 30, 2020, Brazil's Senate approved Bill 2630/2020, the "Brazilian Law on Freedom, Responsibility and Transparency on the Internet", known as the "Fake News Bill". Sponsored by Senator Alessandro Vieira, the Bill is intended to establish mechanisms to fight the dissemination of misinformation and false news in social media and via private messaging services.

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Ana Cristina Müller, D.Sc.



Lilian Ghitnick Arcalji



André de Moura Reis



Jana Fraccaroli



Pedro Tavares