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

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Authors

Pedro Tavares

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.

By means of a single application before the World Intellectual Property Organization – WIPO, the Madrid Protocol makes it possible for individuals and companies to request protection for their marks in various countries at the same time, reducing bureaucracy and the costs involved. On receiving an application, WIPO sends it to the Trademark Offices of the countries designated in the application, which will examine the mark in accordance with local law.

Upon Brazil's adherence to the Protocol, the National Institute of Industrial Property (INPI) began to function as an "Office of Origin" – sending applications by Brazilian individuals and companies to other countries – and as a "Designated Office" – receiving applications from abroad that designate Brazil as a country of interest.

The INPI periodically publishes data on its work as an "Office of Origin" and a "Designated Office". This is an important transparency measure, which helps users of the Brazilian industrial property system in understanding the effects of the Madrid Protocol.

According to the latest update of the INPI's "Madrid Protocol Dashboard" (Painel Protocolo de Madri), which compiles data from October 2, 2019 to July 9, 2020, the number of international applications filed by Brazilian individuals and companies (in other words, Brazilian marks being "exported") was **81**. In contrast, the number of times Brazil was designated by foreign individuals and companies (i.e. foreign marks "entering" Brazil) was **5908**. Of these, **4441** were effectively received by the INPI and **2492** have been published in the INPI's Official Gazette.

It is interesting to compare the data on the first nine months of the Madrid Protocol with the annual forecasts made by INPI and WIPO when the treaty was implemented in Brazil. In the first year, it was expected that Brazil would originate between 98 and 308 applications (reflecting the 2018 numbers for Mexico and India, respectively). As for designations of Brazil in foreign applications, Brazil was expected to receive something in the range of 8100 designations (which falls between the 2018 numbers for New Zealand and Norway). Taking the effects of the Covid-19 pandemic into account, the predictions seem to have been fairly accurate.

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Pedro Tavares