

ITP Research Form

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Paper Title: Intellectual Property in Brazil: Legal Challenges & The Use of IP For Economic Development

Abstract:

Although Brazil is a signatory of the major intellectual property rights conventions – Paris, Berne and UCC conventions – and its IP laws are consistent with Western standards, the Brazil government has diverged from these standardized policies in an effort to support the country's economic growth and trade that will benefit its people. On the other hand, intellectual property rights are an important way to increase investment within the country and generate new areas of growth for the country through intellectual capital and exports. The IP law and policy in Brazil must find a way to balance these interests through best practices and enforcement mechanisms that support (and protect) Brazil's economic development. In order to continue its rise to the top of the global economy, at least in terms of technology and innovation, Brazil must step up enforcement and actually bring its intellectual property protection up to international standards in practice.

This paper describes the history of intellectual property law specifically regarding enforcement and protection and the recent areas of legal reform to change some of Brazil's IP practices and institutional policies. Examples like pharmaceutical patents, copyrighted and trademarked goods, and the strategic use of innovation are discussed to illustrate the inefficiencies within Brazilian IP law and suggest areas of legal reform to address these inefficiencies.