

Updates on Brazilian IP legislation

Priority Trademark Examination: New Rules and Modalities

In addition to the information provided in our previous Newsletter edition, through Ordinances INPI/PR 27, 28, and 29/2025, the BPTO announced new rules for priority examination of trademark applications, creating two main categories:

(a) Free of charge – For elderly applicants, persons with disabilities, individuals with severe illnesses, and companies registered under the *Inova Simples* regime.

(b) Paid – For strategic or public interest cases, including:

- ▶ Opponents invoking a right of precedence during an opposition proceeding;
- ▶ Applications in which registration is a prerequisite for the release of public funds;
- ▶ Applications involved in ongoing judicial proceeding;
- ▶ Trademarks associated with prioritized patents that cover the claimed products or services;
- ▶ Applicants enrolled in mentorship programs administered by the BPTO;
- ▶ Cases involving matters of public interest or national emergency;
- ▶ Applications filed by ICTs (Science, Technology, and Innovation Institutions) or related entities.

The official fee is BRL 890.00 (BRL 445.00 for small businesses and individual microentrepreneurs). In the first phase of the Pilot Project, a single quota of 1,200 applications will be available under the Paid modality, to be filed between August 7, 2025, and December 7, 2025.