

13th Edition of the Nice Classification (NCL 13) now in force

As of January 1, 2026, the 13th edition of the Nice International Classification of Goods and Services (NCL 13) has come into effect in Brazil. Trademark applications filed from this date forward will be examined under the new edition.

Main changes:

- **Essential oils:** classification according to purpose (Class 1 – industrial use; Class 3 – perfumery);
- **Food flavorings** are now classified in **Class 30**;
- **Prescription glasses, sunglasses and contact lenses:** from **Class 9** to **Class 10**;
- **Emergency and rescue vehicles** (e.g., fire engines and fire boats): from **Class 9** to **Class 12**;
- **Electrically heated clothing** (non-medical purposes): from **Class 11** to **Class 25**;
- **Clutch linings:** **Class 12** (for land vehicles) or **Class 7** (for other uses);
- **Parasols:** hand-held (Class 18) and garden (Class 22);
- **Yoga articles:** classified according to their nature (**Classes 20, 25, 27 and 28**).

 Read the full materials and official guidance (in Portuguese):

(i) [Complete list of amendments under the 13th Edition of the Nice Classification](#);

(ii) [BPTO's general page on the Goods and Services Classification](#);

(iii) [Nice Classification \(NCL 13\) – 2026 edition \(English/Portuguese\)](#);

(iv) [Auxiliary List of Goods](#); e (v) [Auxiliary List of Services](#).

Brazilian PTO (BPTO) releases Regulatory Plan for the 2026–2028 period

The BPTO has issued Ordinance No. 49, approving its **Regulatory Plan for the 2026–2028 period**, addressing topics that are relevant to **trademark practice** and **administrative proceedings**.

Highlights:

- **Second half of 2026:** inclusion of the concept of “**family of marks**” in the Trademark Guidelines, with an impact on oppositions, invalidity actions and conflict analyses;
- **2026/2027:** re-evaluation of trademark examination prioritization categories, with potential effects on filing strategies;

- **Second half of 2028:** assessment of sensitive topics such as **slogan registration**, **Opposition 2.0 (simplified opposition)**, and the examination of **acquired distinctiveness**, which may result in adjustments to examination criteria.

🔗 Read the full Ordinance and Regulatory Plan (in Portuguese): [Official publication in BPTO Official Gazette No. 2873](#) and [BPTO Regulatory Plan 2026–2028](#).

Brazilian PTO will allow the indication of more than one registration for the recognition of the Famous Mark Status

The BPTO has announced upcoming changes to the procedure for recognition of the *Famous Mark* status, allowing applicants to rely on more than one trademark registration as the basis for a single request. The initiative stems from stakeholder dialogues held in 2025 and seeks to align the procedure with the practical reality of brand portfolios composed of multiple registrations covering the same mark.

The changes will be implemented through amendments to BPTO/PR Ordinance No. 08/2022, expected to be issued in March, and through an update to the Trademark Guidelines, scheduled for June.

Among the main points, it is highlighted that all indicated registrations must be in force and correspond to an identical trademark sign; any additional registrations must be indicated through a specific declaration; market surveys may cover the goods or services of all indicated registrations; and, although only one registration will appear on the certificate, the others will be mentioned in the recognition decision. If any of the registrations used is cancelled or declared null, the Famous Mark status will be automatically terminated.

Public comments on the proposal are open until February 6, 2026.

🔗 Read the full article (in Portuguese): [BPTO to allow multiple registrations for Well-Known trademark recognition](#).

Brazilian PTO and the Ministry of Development, Industry, Trade and Services of Brazil discuss progress and challenges in Brazilian industrial property

The Brazilian PTO (BPTO) hosted representatives from the Ministry of Development, Industry, Trade and Services of Brazil to review the progress achieved through 2025 and to discuss the main challenges facing Brazil's industrial property system in the coming years. The meeting brought together BPTO senior management, directors, and technical coordinators, with particular focus on patent and trademark matters.

Among the initiatives presented were projects aimed at modernizing and improving the efficiency of BPTO services, including the e-Patents 4.0 system, which incorporates artificial intelligence into the patent filing process; further automation of patent examination workflows; AI-assisted trademark filing tools; and programs targeting the fight against trademark counterfeiting and the protection of

geographical indications. Structural issues were also addressed, such as the need to rebuild BPTO's workforce through new public recruitment processes and career adjustments, in response to staff attrition experienced in recent years.

[Read the full article \(in Portuguese\): BPTO and the Ministry of Development, Industry, Trade and Services of Brazil discuss progress and challenges in Brazilian industrial property.](#)

Industrial Design Guidelines updated with new rules on priority examination

On January 22, 2026, the BPTO updated its Industrial Design Guidelines, consolidating previously announced changes and refining the wording to clarify procedures and ensure alignment with the regulations currently in force. The updates directly affect the handling of industrial design applications and the examination of claimed priority rights.

Key changes include revisions related to petitions for recording limitations or encumbrances, the issuance of certificates and official statements, and requests for author confidentiality, as well as the formalization of new conditions for maintaining priority claims. The updated Guideline expressly provides for situations in which the loss of priority may be published without a prior office action, such as when the priority document is incompatible with the subject matter claimed, when no valid priority document is filed within the statutory 90-day period, or when discrepancies exist between the figures filed in the Brazilian application and those contained in the priority document. These measures are intended to streamline examination, improve efficiency, and reduce procedural costs for applicants.

[Access the full updates to the Industrial Design Manual \(in Portuguese\): Industrial Design Manual updates.](#)

Brazilian PTO temporarily waives the verification of legitimate interest in trademark non-use cancellation actions

Ordinance BPTO/PR No. 48/2026, in force since January 27, 2026, temporarily waives the verification of legitimate interest in trademark non-use cancellation requests that are not challenged by the trademark owner, provided that such requests were filed between August 1, 2023, and September 30, 2024.

The ordinance amends BPTO/PR Ordinance No. 08/2022 and establishes that, in these specific cases, the assessment of legitimate interest is no longer required, with the aim of streamlining and expediting the examination of non-use cancellation petitions. The ordinance was published in the Federal Official Gazette and in the Industrial Property Gazette No. 2873, producing effects as of its publication date.

[Access the full updates to the Industrial Design Manual \(in Portuguese\): Portaria Normativa INPI/PR nº 48/2026 e INPI dispensa temporariamente verificação de legítimo interesse em caducidade de marca](#)
