



3 March 2022

(22-1984)

Page: 1/2

**Council for Trade-Related Aspects of
Intellectual Property Rights**

Original: English

**NOTIFICATION OF LAWS AND REGULATIONS
UNDER ARTICLE 63.2 OF THE TRIPS AGREEMENT**

BRAZIL: LAW 14.195, DATED 26TH AUGUST 2021, WHICH AMENDS SEVERAL LAWS
AND REGULATIONS IN ORDER TO PROMOTE THE EASE OF DOING
BUSINESS WITHIN THE TERRITORY OF BRAZIL

Notifying Member	BRAZIL
-------------------------	---------------

Details of the notified legal text

Title	Law 14.195, dated 26 th August 2021, which amends several laws and regulations in order to promote the ease of doing business within the territory of Brazil
Subject matter	Patents (including plant variety protection)
Nature of notification	<input type="checkbox"/> Main dedicated intellectual property law or regulation <input checked="" type="checkbox"/> Other law or regulation
Link to legal text*	https://ip-documents.info/2022/IP/BRA/22_1764_00_x.pdf
Notification status	<input type="checkbox"/> First notification <input checked="" type="checkbox"/> Amendment or revision to notified legal text <input type="checkbox"/> Replacement or consolidation of notified legal text(s)
Previous notification(s) referred to	IP/N/1/BRA/I/1 Law 9.279/1996 IP/N/1/BRA/I/1/Add.1 Law 10.196/2001
Brief description of the notified legal text	
<p>Said text was proposed by the Government, first as a Provisional Act (a Decree by the President that enters into force immediately but needs to pass a vote in Parliament within 60 days lest it is considered rejected) and then, once it was approved by the Legislative branch, as a Law. This piece of legislation amended a series of commercial laws and regulations with a view to improving the ease of doing business in Brazil. Among those amendments, the Law has rescinded two provisions of the main IP Law (9.279/1996): (i) the sole paragraph relating to Article 40, which guaranteed a post-grant minimum period for patents (10 years) and for utility models (7 years) and had to be scrapped due to a Supreme Court Decision (ADIN 5529); and (ii) Article 229-C (which in turn had been added by Law 10.196/2001, already notified), which established a need that any patent relating to pharmaceutical inventions be pre-authorized by Brazil's Sanitary Agency (Anvisa).</p>	
Language(s) of notified legal text	Portuguese

Entry into force	26 August 2021
Other date	

Notification details

Submission date of notification	18 February 2022
Other information	Link to the text: http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2021/lei/L14195.htm
Agency or authority responsible	Divisão de Propriedade Intelectual Subsecretaria de Inovação e Transformação Digital Ministério da Economia Telephone: +55 (61) 2027-7575 Email: sin@economia.gov.br

* Links are provided to texts of laws and regulations notified under the TRIPS Agreement in the form supplied by the Member concerned; the WTO Secretariat does not endorse or revise their content.