



British
Consulate-General
São Paulo



British Consulate-General

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Trademarks and Patents

If a UK company has a product or name which is registered as a trademark outside Brazil, it is essential that they also have it registered in Brazil as soon as possible. Recent experience by companies setting up in Brazil has taught us the need for speedy registration. Brazilian legislation is based on the principle that rights are acquired by registration and not by use. However, use is compulsory after the registration is granted, under penalty of the trademark being forfeited due to lack of use. The first person to register a trademark is afforded legal protection for it. The owner of a foreign mark should always register in their own name and not in the name of their representative. Companies wishing to register their trademark should use a lawyer. Lists of lawyers are available (free of charge) from the Embassy in Brasília and the Consulates General in Rio de Janeiro and São Paulo. Legislation (Law number 9279 from 14/5/1996) and further information on trademarks and patents can be obtained at www.inpi.gov.br (Brazilian Industrial Property Institute).

List of Lawyers in São Paulo

Please note that this list is provided by UKTI for the convenience of enquirers, but neither Her Majesty's Government, nor any official of the Consulate, take any responsibility for the competence or probity of any firm/advocate on the list or for the consequences of any legal action initiated or advice given. All lawyers charge for their services on a commercial basis:

ADVOCACIA RODRIGUES DO AMARAL

R. General Jardim, 808 – 11^o andar

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Tel: +55 11 3124 1515

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law@ramaral.adv.br

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Languages: English, Portuguese, German, Spanish, and French.

Specialises in: corporate law, contract, tax and international law.

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AMARAL GURGEL ADVOGADOS

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Offices: London, Tokyo, Vancouver and Vienna

CLIFFORD CHANCE

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victoria.soutter@cliffordchance.com
www.cliffordchance.com

Languages: Portuguese, English and Spanish
Specialises in: International Law Firm - Business & Finance
Office: Sao Paulo

CORREIA DA SILVA ADVOGADOS

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CRUZEIRO/NEWMARC PATENTES E MARCAS

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Tel: +55 11 3170 1122
Fax: +55 11 3170 1120
cruzeiro@newmarc.com.br
www.newmarc.com.br

Languages: English, French, Italian, Spanish and Japanese
Specialises in: Industrial & Intellectual property - patents & trademarks,
technology transfer, copyright & licensing, software protection
Office: Sao Paulo



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ESCRITÓRIO VILLEMOR AMARAL

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Tel: +55 11 2102 8460
Fax: +55 11 3262 4664
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www.villemor.com.br

Languages: English, Portuguese, Italian and Spanish
Specialises in: Corporate Law, Civil, Labour and Fiscal Law
Offices: São Paulo, Rio de Janeiro

HENRY ADVOGADOS ASSOCIADOS

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Languages: English, Portuguese
Specialises in: Business Law in general
Office: Sao Paulo

MACHADO, MEYER, SENDACZ E OPICE ADVOGADOS

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Specialises in: Privatisation of Brazilian state-owned companies
Offices: Sao Paulo, Brasilia, Rio de Janeiro, Curitiba, Salvador, Porto Alegre and
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NORONHA ADVOGADOS

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Languages: English, Portuguese, Spanish and Italian
Specialises in: International Law, Banking, Contracts, Taxation and Corporate Law

Offices: Sao Paulo, Rio de Janeiro, Curitiba, Salvador, Porto Alegre, Recife, Belo Horizonte, Manaus, Brasilia, Los Angeles, Buenos Aires, Miami, Lisbon and London

PAULO ROBERTO MURRAY ADVOGADOS

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Languages: Portuguese, English, French and Spanish
Specialises in: Corporate Law and General Practice except for criminal law
Office: Sao Paulo, and correspondents in Rio de Janeiro, Espirito Santo, New York and Portugal

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Languages: English, Portuguese, French, German, Spanish and Italian
Specialises in: Corporate, Litigation, Tax-Labour and Banking
Offices: São Paulo, Rio de Janeiro, Brasilia and London



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TOZZINI FREIRE TEIXEIRA E SILVA ADVOGADOS

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Languages: English, Spanish, Portuguese, French, German, Italian, Japanese and Korean

Specialises in: Foreign Investment, Capital Markets, Banking Law, Mergers and Acquisitions, Tax Matters, Labour and Employment Law, Environmental Law, Intellectual Property, International Trade, Real Estate, Antitrust, Privatisation and Infrastructure Projects, Administration Law, Project Finance, Litigation and Dispute Resolution, Industry Focussed Groups, Paralegal, Information Technology and E-business

Offices: Sao Paulo, Brasilia, Rio de Janeiro and New York

VEIRANO E ADVOGADOS ASSOCIADOS

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Languages: Portuguese, English, French, Spanish, German, Italian, Dutch, Latin
Specialises in: Administrative, Alternative Dispute Resolution, Antitrust and Trade Regulation, Aviation Law, Banking and Finance, Computer and Software Law, Construction Law, Corporate and Corporate Finance/Securities, Energy and Utilities, Environmental Law, Government Contracts, Immigration, Intellectual Property, International Trade, Labour and Employment Law, Litigation, Mergers, Acquisitions and Joint Ventures, Natural Resources, Privatisation and Public Procurement, Product Liability, Project Finance, Real Estate, Tax, Telecommunications.

Offices: Sao Paulo, Rio de Janeiro, Brasilia, Ribeirão Preto, Porto Alegre and Buenos Aires.



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STANDARDS AND APPROVALS

In case the manufacturer is certified with ISO12500; ISO 9001:2008; ISO 8573-1:2001, all these accreditations are valid and accepted in Brazil. In Brazil, ISO's official representatives are INMETRO – The National Institute of Metrology, Standardisation and Industrial Quality and ABNT – The Brazilian Association of Technical Standards.

INMETRO was created by law in December 1973, to support Brazilian companies to increase their productivity and quality of their goods and services. Its major task is to improve the quality of life of the ordinary citizen as well as to seek to improve the competitiveness of the economy through metrology and quality. If a manufacturer wishes to ask for a certain certification, they need to look for an OCP (Product Accreditation Establishment), certified by INMETRO. ABNT, for example, is one of them.

ABNT was founded in 1940 and it is a non-profit organisation. ABNT is responsible for technical standardisation in Brazil, providing the necessary basis to National Technological Development. ABNT is founder member of ISO, of COPANT (Panamerican Committee of Technical Standards) and AMN (Mercosul Association of Standardisation). ABNT's technical guides are not available for consultation but are for sale. Please access www.abntcatalogo.com.br (available only in Portuguese) to research for guides that defines technical terms applied to activities related to construction equipment. For example, crane ("guindaste").

In order to check issues related to standards / legislation / certification:

According to ABIMAQ – Brazilian Machinery Manufacturers Association Technical Standards' Secretary, apart from having International Accreditation, the manufacturer has also to follow the Normative Resolutions (NR) set by the Brazilian Ministry of Work and Employment in order to be able to sell their products into Brazil. The following links refer to Normative Resolutions for Machinery and Equipment (NR 12) and for Civil Construction Equipment (NR18). Please note that all NRs are available in Brazilian Portuguese only:

<http://portal.mte.gov.br/legislacao/normas-regulamentadoras-1.htm>

<http://portal.mte.gov.br/legislacao/norma-regulamentadora-n-18-1.htm>



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Useful contacts:

ABNT – Associação Brasileira de Normas Técnicas

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Ms Aparecida Regina Formicola, Executive Secretary for Standards