

# Brazil-US Trade: Intellectual Property Protection as an International Strategy

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In the first quarter of 2024, trade between Brazil and the United States reached the impressive mark of US\$ 18.8 billion, according to data recently released by Amcham Brasil, one of the largest multi-sector entities in the country and one of the most important American Chambers of Commerce outside the United States. This record in Brazilian exports not only highlights the strength of trade relations between the two countries, but also highlights the strategic importance for Brazilian companies operating in the American market and vice versa.

The record of Brazilian exports to the United States in the first quarter of 2024 reflects the power and potential of Brazilian companies in the international market. However, for this success to be maintained and to grow, the protection of intellectual property must be a strategic priority. By investing in trademark and patent protection, Brazilian companies not only safeguard their innovations, but also strengthen their competitive position in the dynamic American market.

In this context, intellectual property protection in the United States offers several advantages:

**Protection against Infringement:** Trademark and patent registrations in the US allow Brazilian companies to protect their products and services against unauthorized use by third parties, reducing the risks of copying or counterfeiting.

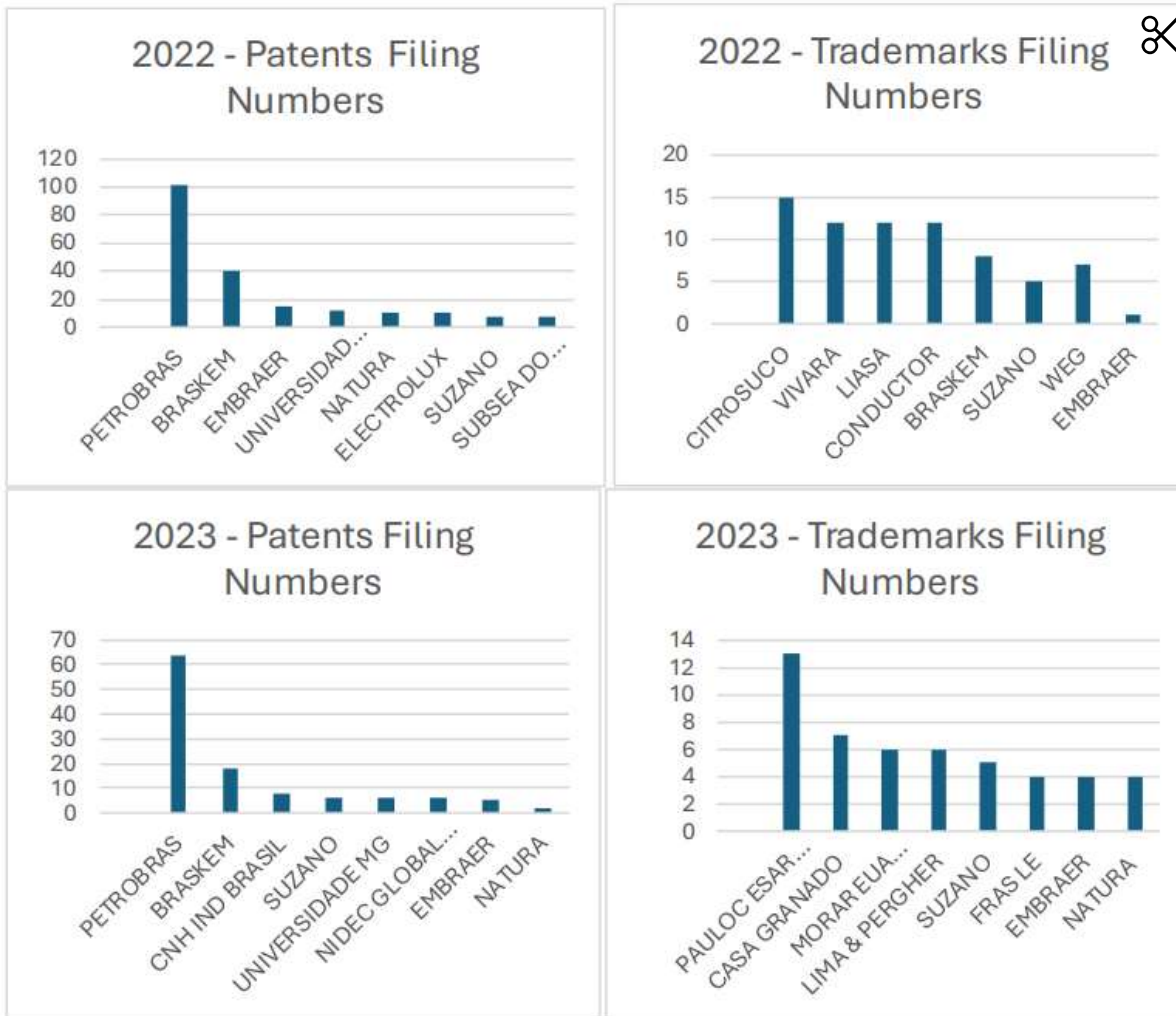
**Market Value:** Patents and trademarks increase the company's market value. Investors and business partners are more likely to invest in companies that have their intellectual properties well protected, through commercial partnerships and licensing agreements.

**Market Exclusivity:** Patents grant exclusivity in the use of an invention, preventing competitors from using the same technology, which can be crucial to maintaining a competitive advantage.

**Reputation and Trust:** Registered trademarks convey trust and quality to consumers. Brand protection ensures that a company's reputation is not compromised by inferior products or services sold under the same name.

In this regard, among the largest Brazilian exporting companies, obtaining a patent in the United States is an important strategic advantage. The process of obtaining patents in the United States is known to be faster and more efficient compared to Brazil, which represents a significant step for Brazilian companies. In the US, the average time for granting a patent is around three to four years, while in Brazil, this period can extend to eight years or more. Greater agility in the American process allows Brazilian companies to introduce their innovations to the American market more quickly, thus guaranteeing their competitive advantage.

The graphs below illustrate how some of the largest Brazilian exporters are already making intellectual property protection a business strategy, as we can see from the largest trademark and patent Brazilian applicants in the United States:



• Note: estimated figures according to the USPTO database.

In addition to the known celerity in the process of obtaining a patent, there are other advantages, such as (i) prioritized examination programs of the United States Patent and Trademark Office (USPTO); (ii) greater legal certainty and effective protection for Brazilian companies holding intellectual property; (iii) favorable business environment in the American market through incentives and support for innovation; (iv) support from commercial entities, such as Amcham Brasil itself, which promotes and offers support in the internationalization process for Brazilian companies, facilitating understanding and navigation through the American system.

It is also important to highlight some strategies for effective protection, such as (i) hiring a specialized IP firm with experience in the United States to provide advice on legal and regulatory processes; (ii) continuous monitoring of the use of its trademarks and patents in the market to quickly identify and react to possible violations; (iii) training teams on the importance of IP protection and how identifying potential infringements can help protect valuable assets; (iv) collaboration with commercial entities, such as Amcham Brasil, with the aim of assisting in support for IP protection abroad.

This proactive approach to intellectual property will help ensure that Brazil-US trade continues to thrive, benefiting both countries and promoting a fair and innovative business environment.

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