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BPTO's Strategic Direction: Speed, Predictability and Enforcement in Brazil's IP System

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In December 2025, discussions involving the Brazilian National Institute of Industrial Property (BPTO), the São Paulo Intellectual Property Association (ASPI) and the Center of Industries of the State of São Paulo (CIESP) addressed the future institutional direction of Brazil's IP authority. Led by Alexandre Lopes Lourenço, Director of Trademarks at BPTO, these exchanges provided insight into the Institute's current challenges, operational indicators and strategic priorities.

A particular focus was placed on how institutional reform, operational efficiency and enforcement capabilities are expected to strengthen BPTO's role in supporting innovation and Brazil's productive sector.

Strategic focus

BPTO's strategic vision is structured around three core pillars: **celerity, predictability and enforcement**. These elements are viewed as essential to ensuring that intellectual property rights deliver practical value to rights holders, reduce uncertainty for businesses and contribute to a stable innovation environment.

Rather than concentrating exclusively on backlog reduction, the strategy prioritises consistent merit examination across all IP assets, supported by transparent procedures and measurable performance indicators.

Performance targets, operational capacity and structural constraints

A central element of BPTO's strategy lies in its explicit decision-time targets, particularly for patents and trademarks.

For **patents**, average technical decision time has followed a sustained downward trend over the past decade, reaching approximately **4.3 years by early 2025**. The objective now articulated is a further reduction to **around 2 years by 2026**, counted from the filing date. This target is closely linked to the use of priority examination mechanisms, productivity gains and process optimisation.

This objective is framed against **relatively stable patent filing volumes, around 27,400 applications per year**, with projections indicating only marginal annual variation. In this context, shorter pendency times are expected to result primarily from efficiency gains and structural improvements, rather than from any material reduction in demand.

For **trademarks**, the targets are more ambitious. The average decision time for applications without opposition, which stood at **28 months in 2016**, was reduced to **6 months by 2019**, before increasing again as a result of sharply rising filing volumes, reaching a timeframe of **19 months in 2025**. The strategic objective now set is a

reduction to **approximately 1 month by 2026** for non-opposed applications, reflecting a strong emphasis on automation, streamlined procedures and examiner productivity.

These targets must be assessed against a context of sustained growth in trademark filings, which are expected to rise from **approximately 455,000 applications in 2024 to close to 490,000 in 2025**, with projections indicating **more than 530,000 filings in 2026**.

In parallel, BPTO's decision-making capacity is expected to expand at a significantly faster pace than incoming filings, with projected growth in annual output exceeding **30% over a two-year horizon**. This expansion is directly linked to examiner productivity benchmarks, currently set in the range of **17 to 23 decisions per examiner per day**, which serve as a key operational reference.

Rising demand also places pressure on digital infrastructure. Millions of system access requests per day continue to strain IT systems implemented more than a decade ago, highlighting the need for systemic modernisation.

Modernisation through technology and process redesign

Technological modernisation has therefore been identified as a necessary condition for achieving these performance targets. Ongoing initiatives include upgrading the BPTO Services Portal, supported by institutional partnerships, notably with the Brazilian Institute of Information in Science and Technology.

The objective is to establish a modern search and service infrastructure capable of ensuring efficiency, security and accessibility, while accommodating continued growth in filings and digital demand. In parallel, BPTO is investing in **process mapping and optimisation**, aimed at simplifying workflows and improving consistency in examination outcomes.

People, training and institutional capacity

Human capital remains a critical component of BPTO's strategic agenda. Measures include structured initial training, continuous professional development, enhanced legal training and leadership formation.

Challenges related to the attractiveness and retention of IP professionals have also been addressed, alongside initiatives aimed at strengthening the second administrative instance, which plays a central role in ensuring legal certainty and coherence in decision-making.

Governance reform and regulatory autonomy

Another key element of the strategy concerns the proposed institutional redesign of BPTO. Draft regulatory measures currently under preparation **seek to reclassify the Institute as a special-nature autarchy** with characteristics similar to those of a regulatory agency.

This model is intended to provide greater management stability, promote collegial decision-making and support a management approach based on processes, performance indicators and technical criteria, rather than administrative rigidity.

Budgetary outlook and financial sustainability

Financial sustainability has been identified as a necessary condition for implementing these reforms. **BPTO's projected revenue for 2025 is approximately R\$ 0.95 billion**, linked to pricing policy adjustments and operational optimisation.

Budgetary recomposition is expected to support investments in technology, personnel and service improvement, reinforcing the Institute's capacity to deliver timely and predictable outcomes.

Enforcement and anti-counterfeiting initiatives

BPTO's evolving role in enforcement and anti-counterfeiting has also been highlighted. Among the initiatives under development is the **launch, in 2025, of a national directory to combat trademark counterfeiting**, initially focused on medicines and other health-related products.

This initiative reflects a growing institutional emphasis on the practical enforcement of IP rights, extending beyond the registration stage. Draft regulatory instruments aimed at strengthening BPTO's inspection powers are also under consideration.

Concluding remarks

Taken together, the targets articulated for patents and trademarks reflect a clear and measurable vision of where BPTO aims to be in the short to medium term. The combination of quantified decision-time objectives, productivity benchmarks and institutional reform places operational performance at the centre of Brazil's IP policy agenda, with potentially significant implications for rights holders and the broader innovation ecosystem.

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