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Brazil Trademark Registration Costs and Registration Procedures

The legal basis of Brazil trademark is the Law No. 9.279 of May 14, 1996. Brazil is a member of the Paris Convention. Brazil adopts first-to-file basis for trademark protection. A trademark registration is valid for 10 years from the date of registration and could be renewed for 10 years before the expiry date.

1. Brazil Trademark Registration Fees

Services	Fees (USD)
Step 1: Pre-filing Search	
Each class	70
(1) Pre-filing search is not compulsory in Brazil. (2) Pre-filing search is limited to the Brazilian Patent and Trademark Office (BPTO)'s database only. (3) Pre-filing search report is delivered in 15 working days by email.	
Step 2: Trademark Registration Request	
First class	990
Each additional class	895
(1) Fees cover both our service fees and official filing fees. (2) Fees for trademark registration request listed above cover no more than 10 items of products or services in each class. Each item in excess of 10 will be charged with an extra fee of USD20. (3) Multi-class application is not available.	
Step 3: Final Registration/Certificate	
First class	1,180
Each additional class	1,055

Note:

- (1) The fixed fees quoted above apply only to trademark applications which are unopposed and proceed without complication.
- (2) All fees quoted above do not include delivery fees.
- (3) Fee for claiming priority is USD180 for each application.

2. Calculation of Registration Costs

Example 1: One mark one class

If you want to have your trademark "ABC" registered in Class 25 (clothing, footwear, headgear), that is, one mark one class, the total fees for trademark pre-filing search, registration request and certificate are:

Pre-filing search: USD70
Request for registration: USD990
Final registration/Certificate: USD1,180
TOTAL: USD2,240

Example 2: One mark two classes

If you want to have your trademark "ABC" registered in Class 25 (clothing, footwear, headgear) and Class 26 (lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers), that is, one mark two classes, they have to be filed in different applications. The total fees for trademark pre-filing searches, registration requests and certificates are:

Pre-filing searches: $70 + 70 = \text{USD}140$
Request for registrations: $990 + 895 = \text{USD}1,885$
Final registrations/Certificates: $1,180 + 1,055 = \text{USD}2,235$
TOTAL: USD4,260

Example 3: Two marks one class

If you want to have your trademarks "ABC" and "DEF" registered in Class 25 (clothing, footwear, headgear), that is, two marks one class, the total fees for trademark pre-filing searches, registration requests and certificates are:

Pre-filing searches: $70 + 70 = \text{USD}140$
Request for registrations: $990 + 990 = \text{USD}1,980$
Final registrations/Certificates: $1,180 + 1,180 = \text{USD}2,360$
TOTAL: USD4,480

The costs illustrated in the examples above are based on the assumption of a smooth application, that is, no objection being raised by the BPTO or any other third party. Also, the costs stated above exclude courier charges for sending the Power of Attorney and delivery of Certificate of Registration upon acceptance of registration.

It is further assumed that the number of items of products included in each class is no more than 10. Each additional item after the first 10 is charged at a fee of USD20.

3. Materials Required for Filing of Trademark Application in Brazil

- (1) A Power of Attorney (to be provided by Kaizen) simply signed by the applicant.
- (2) A duly completed trademark search/registration order form (to be provided by Kaizen).
- (3) A soft copy of the trademark in JPEG format.
- (4) A copy of identity proof of the applicant (passport for individuals and Business Registration Certificate/Certificate of Incorporation for companies).
- (5) A certified copy of the priority document has to be filed when priority is claimed (extra charge will be charged for filing priority claim documents).

4. Brazil Trademark Application Procedures

- (1) Kaizen acknowledges the information including the specimens of mark, its goods/services and registration details, then provides the latest quotation, preliminary advice and classifies your goods/services;
- (2) After the quotation has been confirmed, client will be required to complete our Trademark Search/ Registration Order Form and send it back to Kaizen by email, fax or post;
- (3) Once receipt of the payment for pre-filing search, Kaizen will conduct the pre-filing search (if requested). The search report will be sent to client within 15 working days (based on the duration of the official search);
- (4) Client could refer to our analysis and suggestion in the search report and decide whether to file the application. Kaizen will file trademark application to the BPTO upon receipt of your payment and instruction;
- (5) The BPTO will verify if the application complies with the formal legal requirements of the filing. If the legal formalities are not met, the Examiner will object to the mark;
- (6) When the formal examination is successfully concluded, the application will be published on the Official Bulletin. After the opposition period elapses, the substantive examination begins. The BPTO's examiners will carry out a thorough examination on the registrability of the mark, including whether it meets the provisions of the Law No. 9.279 of May 14, 1996 as to absolute and relative grounds of refusal.
- (7) A registration certificate then will be issued by the BPTO. We will review and send the certificate to you.

5. Time scale

Currently it takes around **24 - 36** months to get a trademark registered in Brazil in a smooth case.

6. Payment Term and Payment Method

Our fees for each stage of an application are to be invoiced and settled before the commencement of each stage of service. If a China or Taiwan Value-Added Tax invoice is required, 7% or 5% additional charge will be incurred.

We currently accept cheque, cash, TT and credit card through Paypal (5% additional charge will incur for paypal). [Please click here for payment methods.](#)

7. Refund Policy

No refund of fees will be made after the commencement of services. For example, if we have conducted a pre-filing search and found an identical mark is already in the register, the application will not be proceeded, the fees for pre-filing search will not be refunded. If we have already filed an application and the application is objected by the BPTO or any other party or refused, there will not be any refunded of fees.

In case you have paid our fees for all three stages of an application and the search result indicates that an identical mark is already in the register, the application will not be proceeded. The fees for services not performed, i.e., filing for application and issuing of certificate of registration will be refunded, after deducting bank wiring charge.