

DANIEL

A stylized globe is depicted on the right side of the image, composed of a network of small dots connected by dashed lines. The globe is rendered in shades of gray and white, with a perspective that makes it appear to be a sphere. The word 'DANIEL' is written in a bold, white, sans-serif font across the center of the image, with a diagonal slash through the letter 'N'. The background is a dark gray gradient.

# \Agenda

\ INTRODUCTION

\ ABOUT US

\ MADRID PROTOCOL

\ BPTO'S MADRID PROTOCOL PANEL

# INTRODUCTION





## WELCOME TO DANIEL

“ We have partnered with companies from the largest Fortune 100 to the most nimble start up helping them move from innovation to market with the skills, dedication, and right mix of innovative and traditional approaches needed to protect the power of their ideas. As your local partner in Brazil, we can work with you to provide the same high quality LATAM focused legal services to your valued clients.”

**Alicia Daniel-Shores**

Partner & CEO

# ABOUT US



# Our Mission

We have a **long-term mission** to continue our growth and relevance on the national and LATAM scene, applying the successful client-centric approach that has led us to achieve extraordinary results. We combine the **tradition** of a 60-year law firm that has helped shape Brazil's IP scenario, with an influential **culture of innovation and diversity** that ensures we have the best of the best in terms of professionals and technology.

We direct our resources to provide **legally-wise business solutions**, acting as strategic partners throughout our client's innovation process.

In terms of client relationships, our mission is to continue to build and foster **lasting relationships**, as we believe that this is an indispensable ingredient for our success as service providers.

We also aspire to remain connected with companies of high relevance and prominence in their sectors, because we believe that **our client's success reflects on our progress**.

What is Daniel's way of doing business?

## **THINK DIFFERENT**

**Efficiency to make it happen**  
**Anticipate needs**  
**Value relationships**

What emotion does Daniel arouse in its employees?

## **THINK NEW**

**Non-stop learning**  
**Freedom to experiment**  
**Effectiveness is an asset**

How does Daniel relate to the society?

## **THINK BIG**

**Question the status quo**  
**Innovation to protect**  
**Knowledge network**

What is Daniel's offer relevance to our clients?

## **THINK TOGETHER**

**Strategic connections**  
**Each case is the case**  
**Experience, technology and sense of opportunity**

# Our Services

Daniel is a firm that respects your particular needs and provides **legally-wise business solutions**. Our diverse team of over 200 partners, attorneys, engineers, and other professionals is uniquely equipped with the legal and technical expertise, and **real-world business experience**, essential to develop and execute the customized strategies that meet the specific **IP needs** of our client's portfolio.

Beyond understanding the nuances of IP law, we understand the jurisdiction. Our in-depth and native knowledge of Brazil's complex legal environment enables Daniel to **anticipate our client's needs better**, understand the potential risks they face, and, ultimately, provide more successful management of their IP assets.

60+  
Years

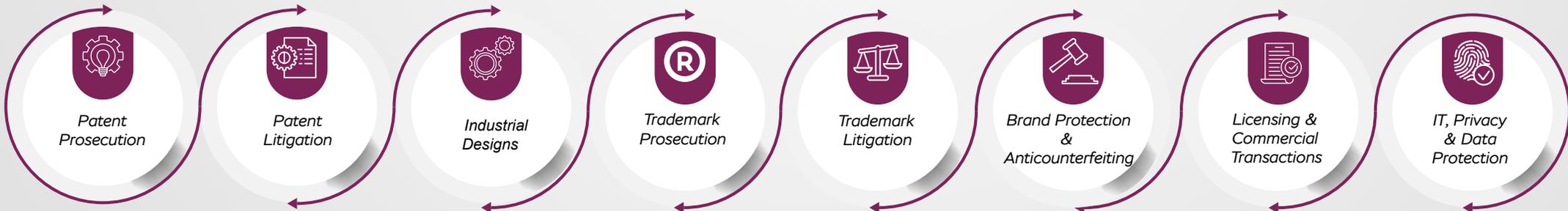
Of Continuous Growth  
and Innovation



Strong Regional Network of  
Affiliated Law Firms in Latin  
America



Offices in Rio De Janeiro  
and São Paulo



# Innovation



Daniel Law has been following the main trends that are shaping our society and the way we do business, locally and globally. In order to respond to these changes and remain relevant in the market, the firm decided to put in place an **Innovation Program**, in order to accelerate our Digital Transformation initiative, exploring new business opportunities and fostering a collaborative culture among our people.

Our Innovation Program is leveraging some digital enablers such as **Data Analytics, Design Thinking** and **Agile** aiming at building a customer centric and responsive organization that excels at its core, and an innovative and adaptable venture that is empowered to manage uncertainty and **create its own future**.



Daniel Lab is a multidisciplinary research and development center linked to Daniel, with the objective of spreading knowledge about innovation, law and technology, attracting new partnerships and maximizing the use of human and material resources available in the office

- > Engage and empower people
- > Think collaboratively, agile and innovative
- > Develop new processes and solutions for our office, clients and society
- > Bring customers and partners closer
- > Share experiences and knowledge of the various topics that impact intellectual property

# Our Commitment to Diversity and Inclusion



Daniel is the largest women owned firm in Latin America.

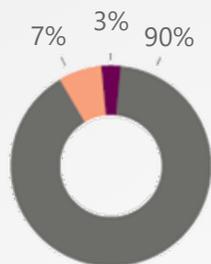
Recognized by WEConnect International and certified as Women-Owned Business, it guarantees that our firm meets the universal standards of WBE - Women's Business Enterprises.

Our inclusion program was designed to recruit and retain the best candidates through the search for talented individuals with the most varied life experiences, worldviews and personal stories.

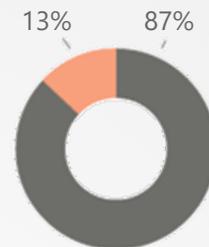
One of the objectives of our program is to break the educational barriers that prevent countless candidates to reach our organization and achieve professional advancement.

We also understand the need to insert suppliers that represent diversity in our supply chain.

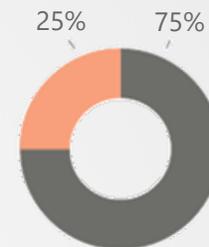
Our goal is not only to create a mosaic of perspectives for our office and our clients, but also to effectively make a positive impact that goes far beyond our organization.



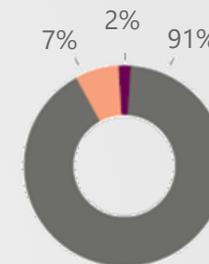
Partners by race/color



Leadership by race/color

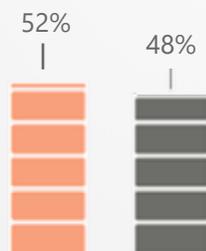


Intern by race/color

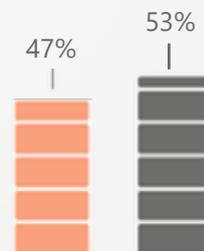


Lawyers by race/color

Yellow White Black



Partners by gender



Leadership by gender



Trainees by gender



Lawyers by gender

Female Male

Fonte: Gerência de Recursos Humanos Daniel Advogados  
Dezembro - 2019

# Our Commitment to Diversity and Inclusion

We believe **connections and partnerships** are key to the spread of ideas and good business practices. With this in mind, we joined Ethos institute, an organization whose mission is to mobilize, raise awareness and help companies to manage their businesses in a socially responsible manner, making them partners in building a fair and sustainable society.

We have the honor of our initiatives being recognized. We were one of the 52 companies awarded in the **EXAME Diversity Guide** of 2020 and winner of the **Chambers Diversity & Inclusion Award** for Latin America 2020 in the "Outstanding Firm for Diversity & Inclusion" category. We also won the Most Innovative Program for Employee Health and Welfare award in 2019, awarded by Chambers Diversity & Inclusion.

After years of hard work and determination, regarding our firm's diversity and inclusion project – **Daniel Plural** program – we are proud to now be able to share our progress since we got started with the initiative. We invite you to download our recently launched e-book in the link below and to learn more about the path we are taking on Diversity and inclusion.

[Download: Daniel Law – The Firm that is the Home to Diversity](#)



# Rewards and Acknowledgments

WE ARE RECOGNIZED BY THE MAIN NATIONAL AND INTERNATIONAL LEGAL RANKINGS.



*"The team is helpful, responsive and well rounded, in addition to understanding well what clients want to achieve and providing good advice, letting clients know what are the best options going forward."*



*"They are extremely efficient in their actions, as well as being assertive and confident about their opinions."*



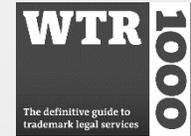
*Nominated as one of the best Brazilian Intellectual Property offices in all editions of the publication.*



*"The best and most informed adviser in the market. Committed and efficient, it provides excellent service."*



*"Daniel has a strong presence in matters involving the fight against counterfeiting in the technology area."*



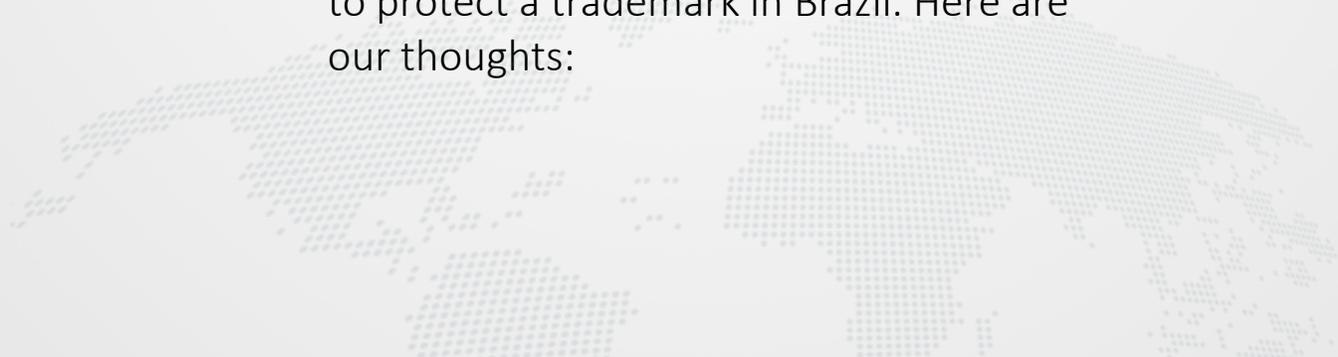


# MADRID PROTOCOL

## Information on the proceedings concerning international registrations filed through Madrid (Brazilian designations)

Most clients ask when they should (or shouldn't) file a trademark application directly before the Brazilian PTO now that Brazil became a member of the Madrid Protocol since October 2019.

We have summarized our first impressions of the international system and the pros and cons of choosing one or the other way to protect a trademark in Brazil. Here are our thoughts:



# Why use Madrid?

- The Madrid System is in force in Brazil since October 2, 2019. The first Brazilian designations started being published for opposition purposes on May 12, 2020;
- Madrid simplified the proceedings so it is quite easy to extend an existing international registration to Brazil, besides managing renewals;
- The use of a local counsel will only be necessary if the mark suffers a provisional refusal, otherwise in a straightforward proceeding there is in principle no need to hire anyone to act in the case locally;
- Nice classification has been widely used in Brazil for over 20 years it is unlikely that the BPTO will be more stringent when analyzing international filings towards wording and classification than it is in a regular national filing (though no international filings have been published yet);
- The Office will notify the International Bureau of the decisions concerning provisional refusals and decisions on nullity or revocation actions;



# Some limitations of the Madrid System in Brazil:

- Despite the simplified proceeding, in respect of international registrations effected under the Protocol before the date of entry into force the subsequent designation will NOT be available (Article 14(5) of the Protocol). Brazilian designations will be available for foreign filings effected as from October 2, 2019;
- Division or merger of an international registration has no effect in Brazil and Multiclass filings are still not available;
- The registrant must declare in the filing form that it is effectively engaged in the business in connection with the goods and services for which Brazil is being designated;



# Why avoid Madrid?

- Brazilian IP law requires that the registrant appoints a local representative to service their registrations. This requirement was created to enable any party to challenge a mark in Brazil in a cost effective way, otherwise the titleholder would have to be served through a rogatory letter increasing litigation costs if no judicial cooperation treaty was in place between Brazil and the country of the applicant/registrant;
- Multiclass filings are not available yet in Brazil. So an international registration designating Brazil and covering more than one class will be automatically split into separate applications (one per class), being subject to individual examinations on both formalities and absolute grounds. This may change if multiclass filings are accepted in the near future;
- The international bureau will not be informed of certain local proceedings (such as of the filing of oppositions) so the registrant of an international registration Brazil may not be properly advised of setbacks and potential alternatives to overcome a provisional refusal;

Act preventively may save costs in several ways, so having a local partner to assist you during the trademark prosecution and keep a close watch on developments may be a good alternative to secure trademark protection in the fastest and most effective way in Brazil.

Daniel has developed a proprietary software capable of reading WIPO's database to seamlessly monitor all the developments of an international registration as it is prosecuted by the Brazilian PTO.





# BPTO's Madrid Protocol Panel

# BPTO's Madrid Protocol Panel

➤ Period: OCT 2 2019 - JAN 14 2021

BPTO Receiving International Applications



Brazilian designations = **11.185**

Total of classes = **26.243**

Average of classes / applications = 2,3

Designations received by the BPTO = **9.168**

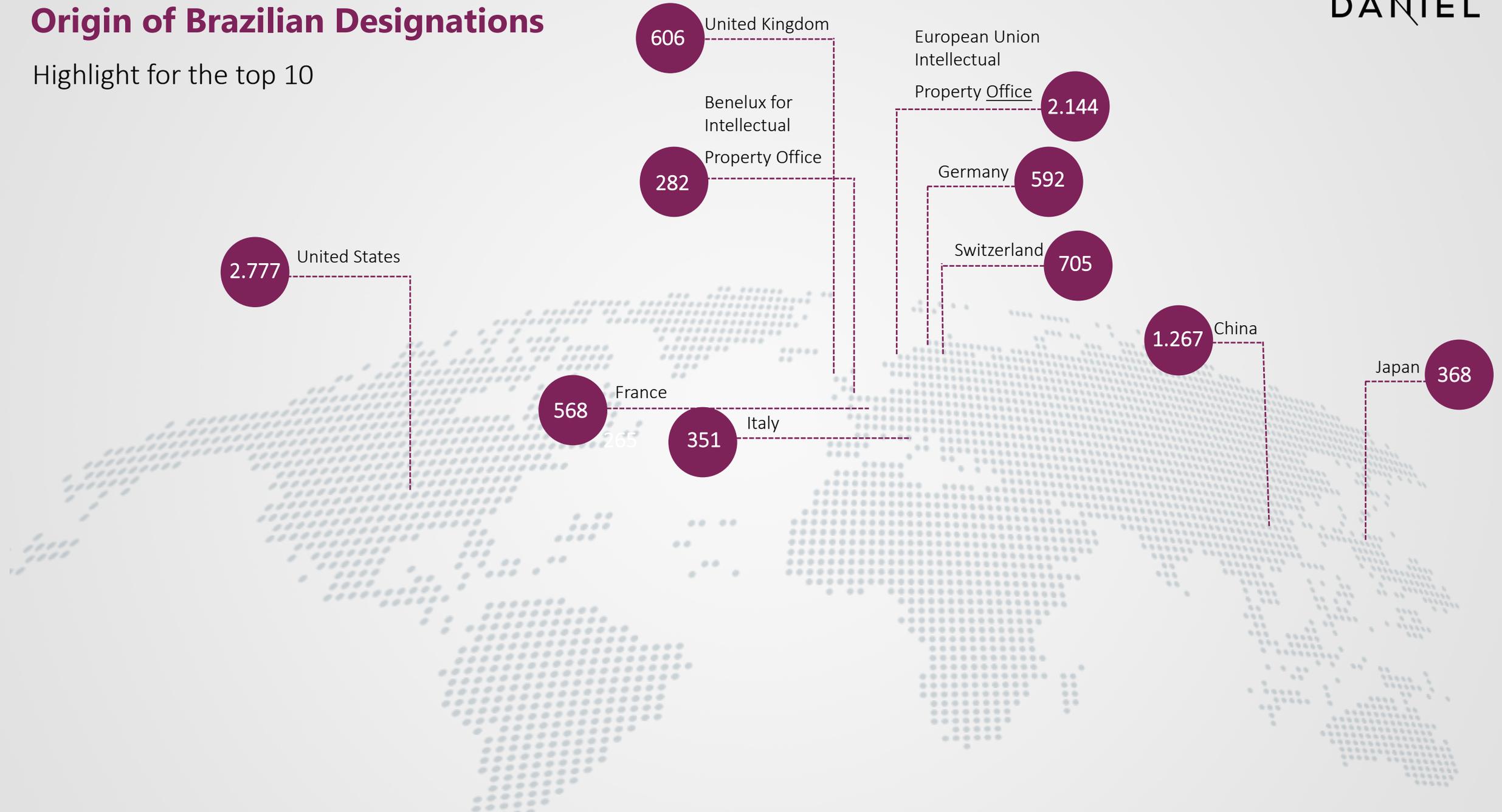
Designations published = **1.572**

Average examination timeframe = N/A

Examined = N/A

# Origin of Brazilian Designations

Highlight for the top 10



# BPTO's Madrid Protocol Panel

➤ Period: OCT 2 2019 - JAN 14 2021

BPTO sending International Applications



International applications = **159**

Total of classes = **275**

Average of classes / applications = **1,7**

Certified applications by the INPI = **124**

Applications deemed nonexistent = **7**

Number of applications with inconsistencies = **65**

Awaiting response to inconsistencies = **21**

Average timeframe of certification without inconsistencies = **6 days**

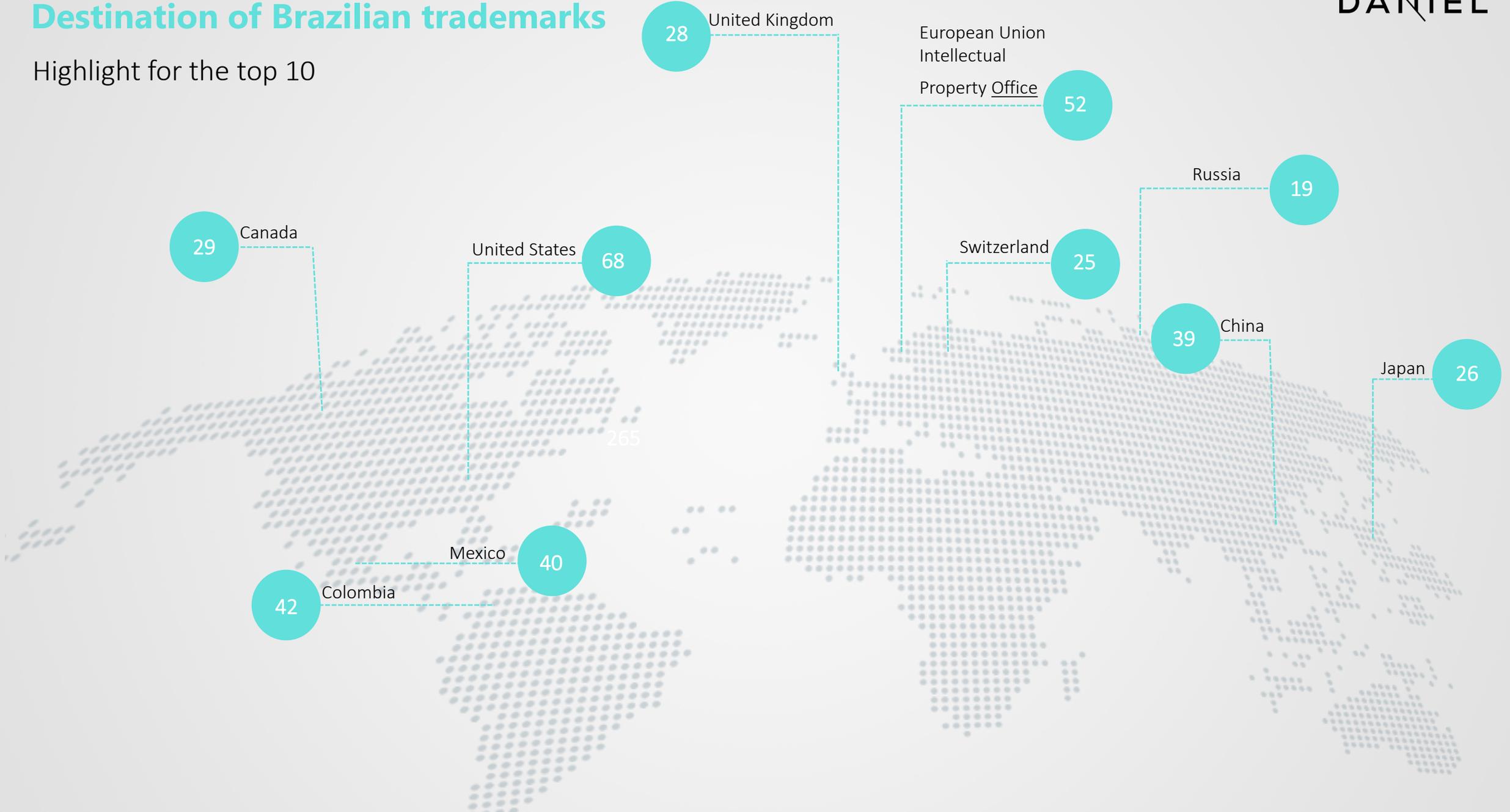
Average timeframe of certification with inconsistencies = **50 days**

Average timeframe of certification by the BPTO = **19 days**

International registration by WIPO = **100**

# Destination of Brazilian trademarks

Highlight for the top 10



Thank you!

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