

Commemorated on April 26 each year, **World Intellectual Property Day** raises awareness of the importance of a balanced intellectual property (IP) system. In 2024, it focused on relating innovation and creativity with the **United Nations Sustainable Development Goals (SDGs)**.

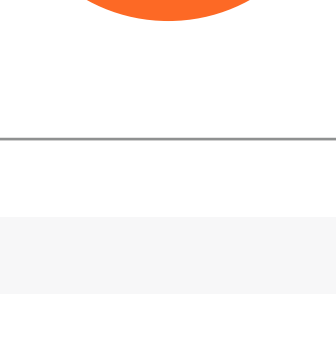
World Intellectual Property Day is also an opportunity to understand how IP can foster the development and dissemination of creative and innovative solutions necessary for building a sustainable future. The role IP plays in each of the UN's 17 SDGs is the subject of an [interactive page](#) on the World Intellectual Property Organization website.

To mark this occasion, we have prepared this publication to outline IP's significance in relation to specific SDGs and demonstrate how it can be practically applied across various areas of law.



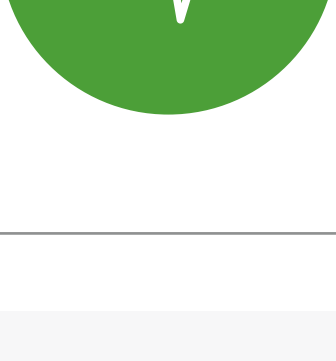
How IP Intersects with Different Market Sectors

In safeguarding creations arising from human intellect – such as inventions, trademarks, artistic works, and scientific endeavors – IP stimulates investment and ensures that the most promising ideas are transformed into tangible products and services. Intellectual property protection plays an important role in the development of various sectors, as illustrated by the selected SDGs below:



SDG 9 – Industry, Innovation, and Infrastructure

IP plays a crucial role in promoting innovation and advancing technology, contributing to the development of an array of industries and more efficient and sustainable infrastructure.



SDG 3 – Health and Well-Being

In the life sciences sector, IP protection encourages R&D for new medicines and treatments, improving the overall health and well-being of society.



SDG 4 – Quality Education

IP protection fosters the production and distribution of innovative educational material, promoting accessible, high-quality education for all.

Examples of How Market Sectors Relate with IP



Infrastructure and Energy

IP plays an essential role in promoting innovation in the infrastructure and energy sectors. By safeguarding new sustainable technologies and processes – such as renewable energies, smart electrical grids, and efficient transportation systems – IP encourages investments and further progress. As such, it has the potential to mitigate climate change and conserve natural resources. Investments in innovation and IP align with applicable regulations covering Research, Development, and Innovation (RD&I) obligations and mechanisms provided for in Law No. 10,973/2004 and Law No. 13,243/2016 (known collectively as the ['Brazilian Innovation Law'](#)).

Brazil's Innovation Law

The development of IP assets is directly linked to innovation. The innovation system involves a triad consisting of **universities, industries, and the government**. With the help of the Innovation Law, which serves as the primary incentive for innovation policies in Brazil, a favorable environment is created for partnerships, institutional participation, regulatory incentives for researcher-creators, innovation within private companies, and new technologies.



**Energy Transition:** The role of IP and protecting innovation in energy transition processes are highly relevant. The challenges society faces in achieving decarbonization goals in the coming years require significant investment and the development of new IP-protected technologies, [click here](#) (available in Portuguese).



Life Sciences

In the life sciences and healthcare sectors, IP protection is vital for incentivizing R&D for new medicines, treatments, technologies, and medical devices, serving as a significant competitive advantage. The possibility of obtaining exclusive rights to exploit inventions and trademarks encourages pharmaceutical companies, medical device manufacturers, and technology-focused entities (among others) to invest in innovation. This results in significant advancements in global health and well-being.

IP has an impact on:

- (i) Negotiating and drafting contracts related to product development, licensing, and exploitation.
- (ii) Incorporating new technologies within Brazil's public health system (SUS) and the Brazilian Health Insurance Agency (ANS).
- (iii) Protecting intellectual assets and enabling measures against unfair competition.



Entertainment

IP is central to protecting and fostering artistic and cultural creations in the entertainment sector. It safeguards copyrights, trademarks, and patents that are intrinsically linked to products such as films, music, games, and television programs.

This protection is essential to ensure that creators are fairly compensated for their work, thereby incentivizing innovation and economic growth within the industry. The entertainment industry is vast and diverse, spanning from digital influencers to the music industry, and is now exploring new forms of digital assets like Non-Fungible Tokens (NFTs).

IP has effects on journalism, advertising, social media, and streaming services. Issues such as (anti)piracy and image rights are of utmost importance, as well as compliance with specific sectoral regulations – such as those established by the Brazilian Advertising Self-Regulation Council (CONAR) and the Brazilian Cinema Agency (Ancine).



Education

IP plays a crucial role in boosting student learning and providing educational institutions with a variety of tools to meet the challenges of education. Specifically, IP encourages the production and distribution of educational material, digital education resources (including AI tools), and innovative teaching methodologies. By safeguarding copyrights, computer programs, and other intangible assets related to these elements, IP fosters an environment conducive to spreading knowledge and improving education standards.



Agribusiness

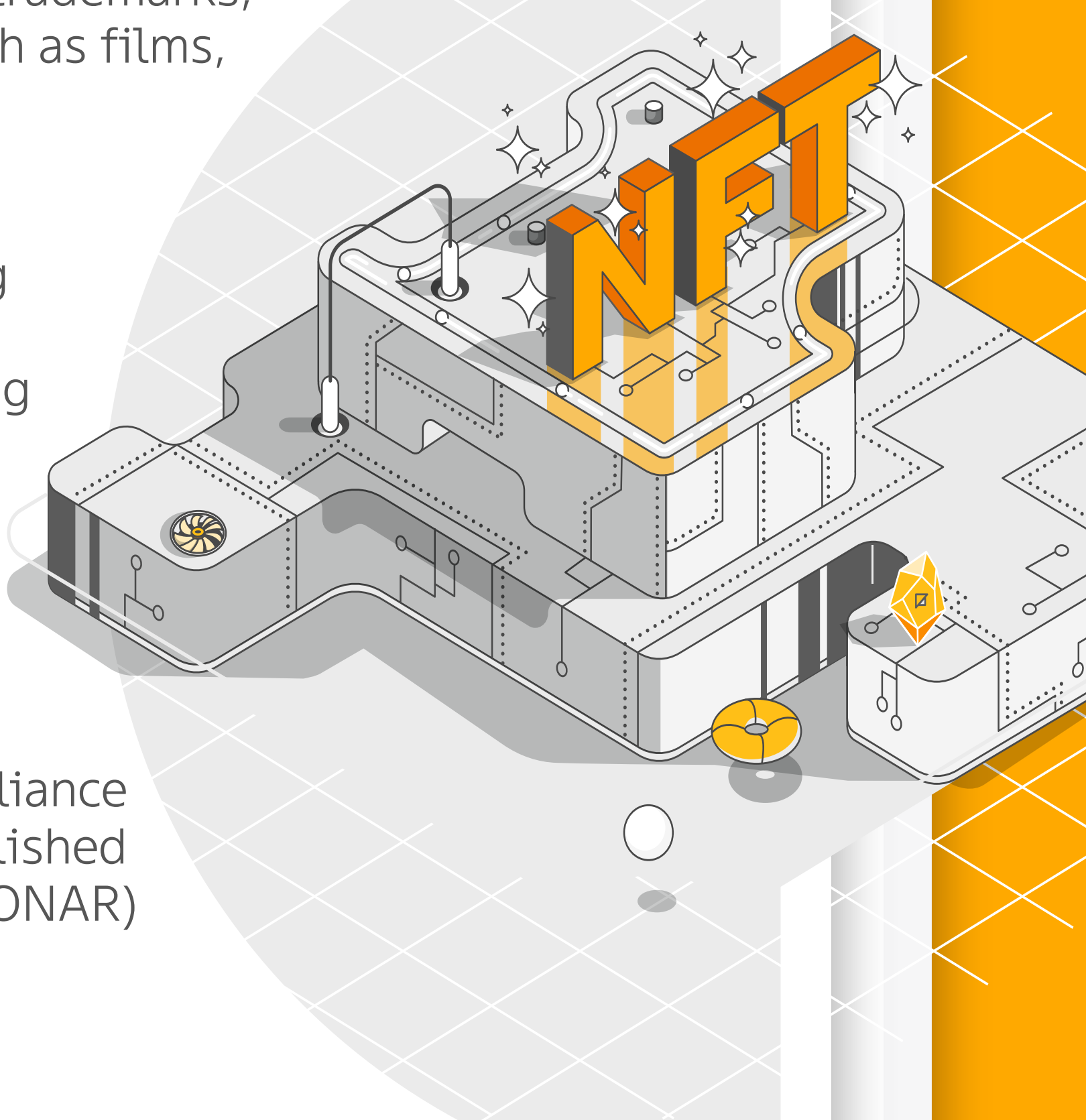
As a critical sector in Brazil, agribusiness deals with various IP-related topics. These include RD&I projects and the purchase and sale of biological assets. IP is present in agribusiness when new plant varieties and cultivars are developed and protected, in safeguarding assets stemming from research, in regulating various types of sector-specific contracts, and in protecting inventions related to agricultural machinery.

Proper IP protection in agribusiness encourages economic actors to develop new technologies and agricultural practices, contributing to biodiversity conservation, increased productivity, and benefiting both farmers and consumers.



Social Impact and Philanthropy

Beyond its role in innovation and economic development, IP serves as a tool for social impact and philanthropy initiatives. Companies and organizations can harness social licensing programs and open-access initiatives to use IP-protected assets – benefitting communities and promoting sustainable development.



How IP Intersects with Other Fields of Law

IP is not an isolated field of law – it is intrinsically connected to an array of other areas. By exploring these connections, we can better understand how IP protections impact diverse issues, ranging from corporate governance and litigation to labor relations and tax policies.

IP's relationship with other legal fields has the capacity to contribute to UN Sustainable Development Goals (SDGs), including:



SDG 16 – Peace, Justice, and Effective Institutions

By ensuring IP rights are protected, we strengthen the rule of law and promote effective institutions that safeguard the interests of creators and innovators.



SDG 8 – Decent Work and Economic Growth

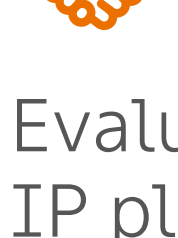
IP-related matters, such as employment contracts and trade secret protection, directly influence working conditions and economic growth.



SDG 10 – Reduced Inequalities

Promoting IP protection can help reduce disparate access to innovation and knowledge, facilitating more equitable and inclusive development.

Examples of how IP relates to other fields of law



Corporate Law and M&A

Evaluating and protecting intangible assets is an essential aspect of M&As, in which IP plays a key role. For instance, during due diligence processes, an examination of the extent and validity of a company's patents, trademark registrations, computer programs, and other IP rights is key to assessing their value in the context of the corporate transaction (especially when these IP assets are a core part of the company's activities) and identifying potential legal risks.



Labor Law

IP-related matters are frequently addressed in the context of labor law. This includes confidentiality agreements and IP clauses in employment contracts, company policies, and collective norms that attribute ownership of intangible assets created within the scope of employment relationships.



Litigation

IP-related litigation disputes are common, ranging from patent and trademark infringements to unfair competition and piracy cases. Litigation enables rightsholders to defend their assets through extrajudicial notification or lawsuits at the state and federal levels (in this case, the Brazilian Institute of Industrial Property (INPI) also plays a role in judicial proceedings).



Tax Law

The relationship between tax law and IP is complex yet highly relevant. Transactions involving IP involve specific tax considerations that must be carefully evaluated. For example, in international IP-related transactions, transfer pricing is a critical issue. Tax laws in many countries require that transactions between related parties be conducted at market conditions. However, the uniqueness of IP assets can make this process challenging.

Moreover, RD&I-related expenses often receive preferential tax treatment, which may include tax deductions or credits to encourage innovation and technological development. Another issue is that the tax treatment of royalties and licenses – common forms of commercializing the IP – can vary depending on the jurisdiction. Understanding and correctly applying IP-related tax regulations are essential to optimizing tax efficiency and ensuring compliance with the law.

Source: United Nations – Brazil. Available at <https://brasil.un.org/pt-br/sdgs>. Viewed on April 25, 2024.