

The trademark and patent registration process are extremely important within entrepreneurship and intellectual property; however, before anything else, it is important to understand the concepts of each one individually.

There are several advantages arising from the registration of **trademarks and patents** for the responsible holder, including those advantages that overcome the bureaucracy related to the registration procedure.

The trademark is the identity, and the patent is the document that guarantees the right of ownership and exclusive use. This way, we will differentiate trademarks and patents since they go hand in hand but have different roles in protecting industrial property rights.

## THE TRADEMARK

Trademarks may receive this title when configured as visually perceptible distinctive signs in accordance with Art. 22 of Law No. 9.279/96.

Trademark types can be:

1. Product or service, always being used to differentiate from other products or services
2. Collective, always used to refer to products or services coming from some entity
3. Certification, always used to confirm the identity of a product according to technical standards

In addition, the trademark can be subdivided into four topics:

- Nominative: consisting of words or comprising letters of the Roman and Arabic alphabets, in addition to neologisms and Roman numerals
- Figurative: constituted by the visual part, illustrations, symbols, images
- Mixed: consisting of nominative and figurative elements
- Three-dimensional: constituted by the unquestionable approximation of a product to its packaging. That type of product that we look at on the market and already know from afar what it is.

## THE PATENT

Patents, in turn, are technological inventions aimed at improving specific projects in the market. Art. 8 of Law 9,279/96 provides that the main characteristics that lead to a novelty being patented are:

1. Must meet the criteria of being, in fact, a novelty
2. It needs to be easily applicable or at least industrial
3. There must be a direction for that novelty in the market, such as expected results, etc.
4. Must not tell useless gimmicks or difficult to understand
5. It must be an improvement of some product or service that already exists in the market, configuring an [intellectual property](#)

## THE PATH TO REGISTRATION

In Art. 125, it is possible to observe that every renowned trademark must be registered and will enjoy special protection in all its branches of activity. Furthermore, minor trademarks must be protected only in their respective sectors.

In this scenario, the entrepreneur responsible for trademarks and patents must search the **INPI website** and request a registration for the trademark so that the legal rights and protection against plagiarism and misuse are applicable. In this way, the brand must prove that it has:

1. Brand recognition by the public
2. Quality and prestige in the products and services offered
3. Easy-to-be authentic and unique brand profile

Thus, **trademark registration** is essential for your product or service to ensure legal protection.

In short, **trademarks and patents** are how your enterprise or invention will be remembered and protected. How about learning even more about intellectual property? [Contact us for more information.](#)