

GUI Design Protection: INPI-Brazil perspective

Flávio Alcântara

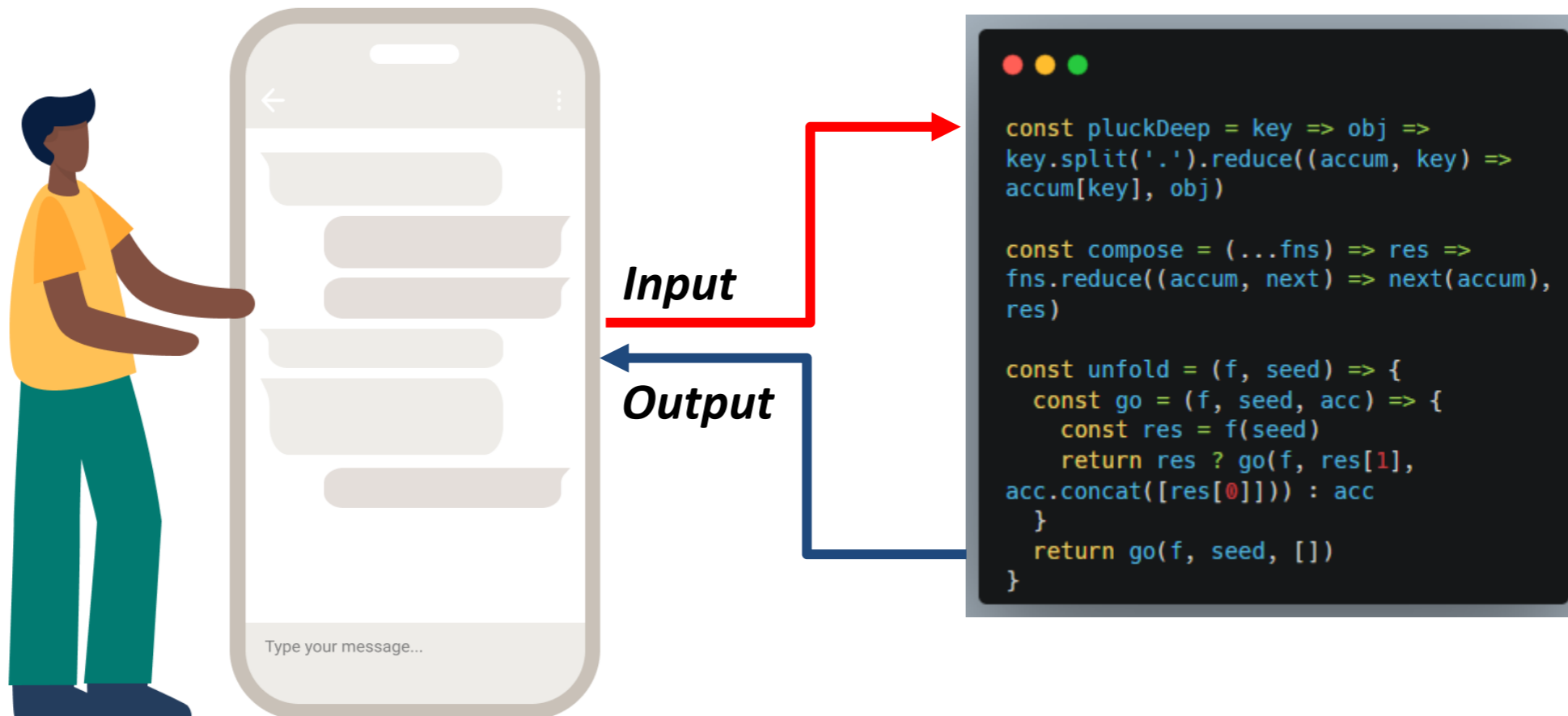
Head

Industrial Designs Examination Division

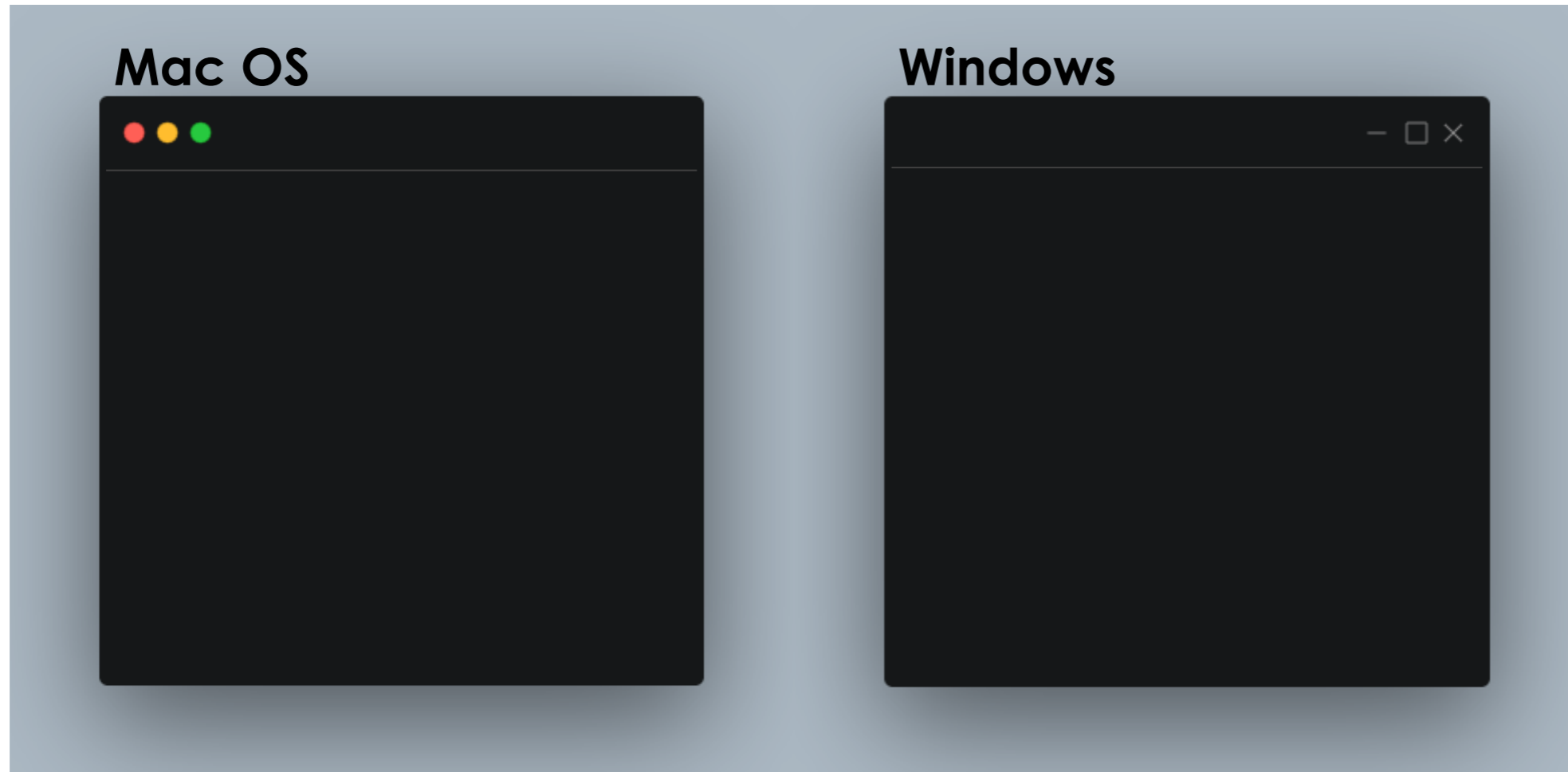
SCT/IS/ID/GE/25/1 WIPO, 21 February 2025

What is a Graphical User Interface

- The *layout of the visual elements* that enable users to interact with a system.



Why to protect the GUI design?



Users avoid changing the way they interact with their devices.

The layout of the visual elements (i.e the GUI) determines users interactions.

Why to protect the GUI design?



GUIs are everywhere, whether is products or services.

A good GUI design solution is a differentiator when products/services have the same functionalities.

What about legal definitions and appropriate IP protection?

- Does it fit the legal definition of design?
- Is it software?
- Is it the “look and feel” of the software?
- Is it a design by itself or is it part of the design of the device?
- Is it a product by itself or is it part of another product?
- Can we protect a design that is not permanent?
- Can we protect a dynamic design?

- Shouldn't it be protected as a trademark?
- Shouldn't it be protected as a copyrighted artwork?

Brazil's legal and administrative definitions regarding designs and GUI

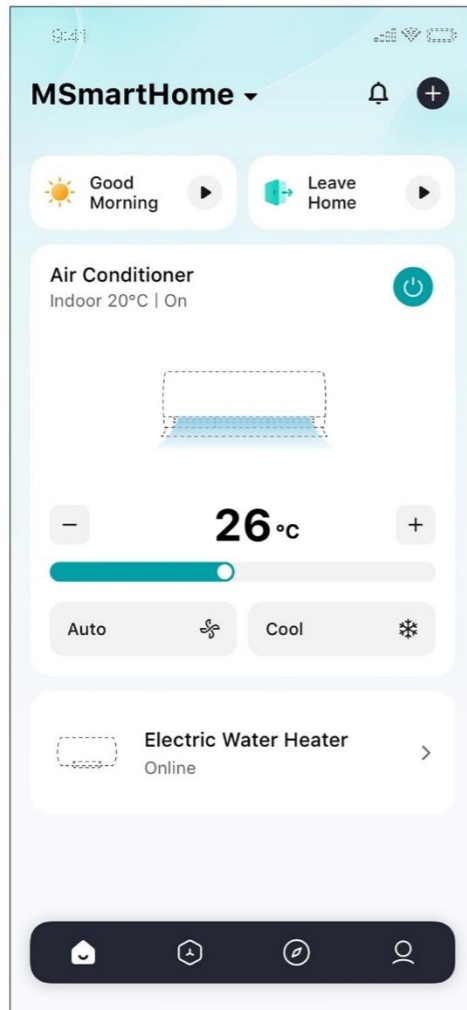
Industrial Property Law 9279 (14 May 1996)

Art. 95. Industrial design is the (...) ***ornamental set of lines and colors that can be applied to a product***, (...).

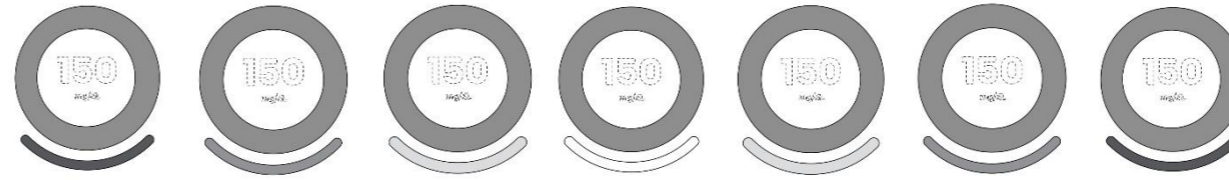
Industrial Designs Manual (2nd Ed., 02 Oct 2024)

Item 2.3.2 The industrial design registration of a set of lines and colors must indicate a ***two-dimensional product***. These are (...) “graphic signs”, “surface patterns”, “***graphic interfaces***” etc.

Protection available for various types of GUI



BR 312023232658
GUI with text



BR 312024243751 (detail)
Animated GUI

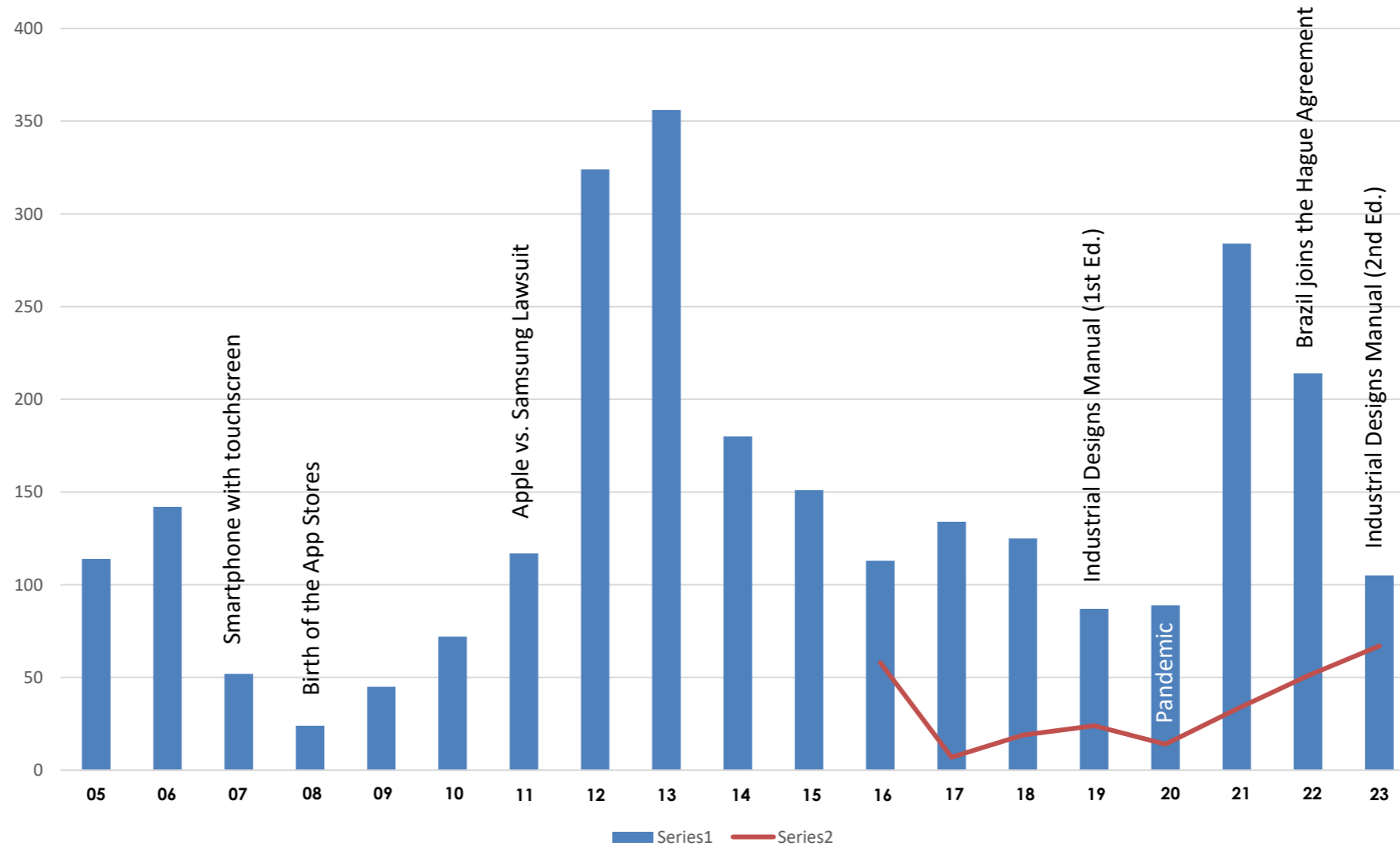


BR 322019002263 (detail)
Tridimensional GUI

Other types of GUI/digital assets (yet to be registered):

- GUIs for the metaverse
- Projected GUIs
- Holograms
- ***Typography

Total GUI applications (2005-2023): 2805



Foreign applicants

Microsoft: 938

Samsung: 331

LG: 324

Philips: 134

Apple: 88

Domestic applicants

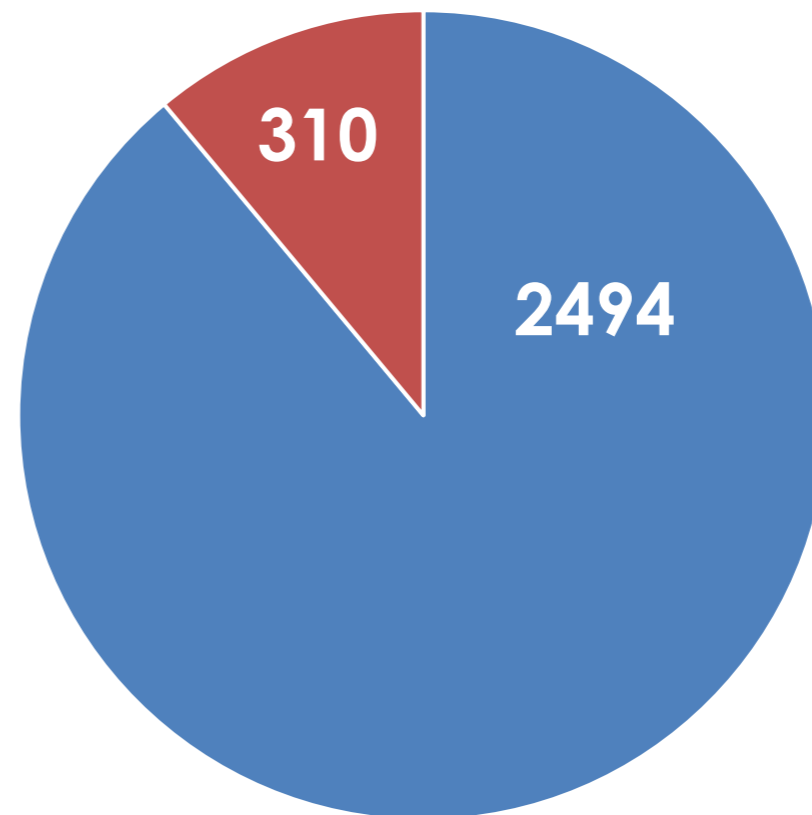
M3 Health: 57

Bradesco: 50

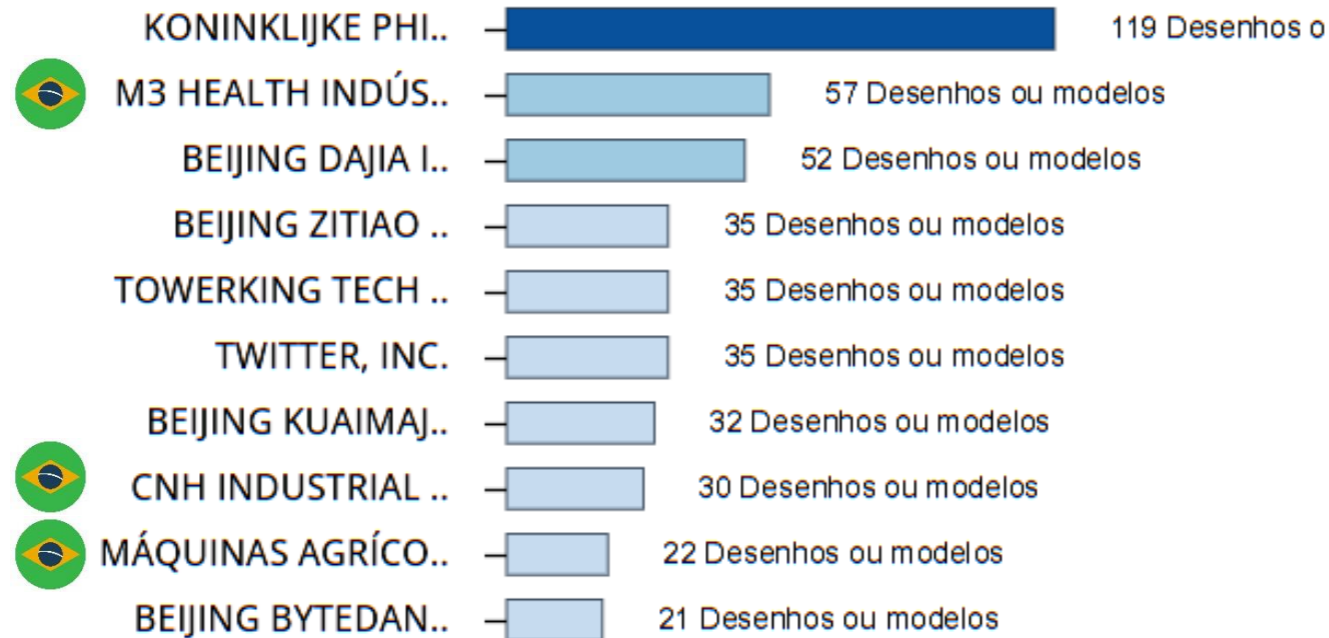
CNH Industrial: 36

Jacto: 22

Restoque Confecções: 11



GUI Applicants Ranking (2019-2023)



- Domestic GUI applications more than doubled (when compared with 2005-2018).
- 3 Brazilian companies in the top 10 applicants ranking.

Obrigado!

flavio.alcantara@inpi.gov.br

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