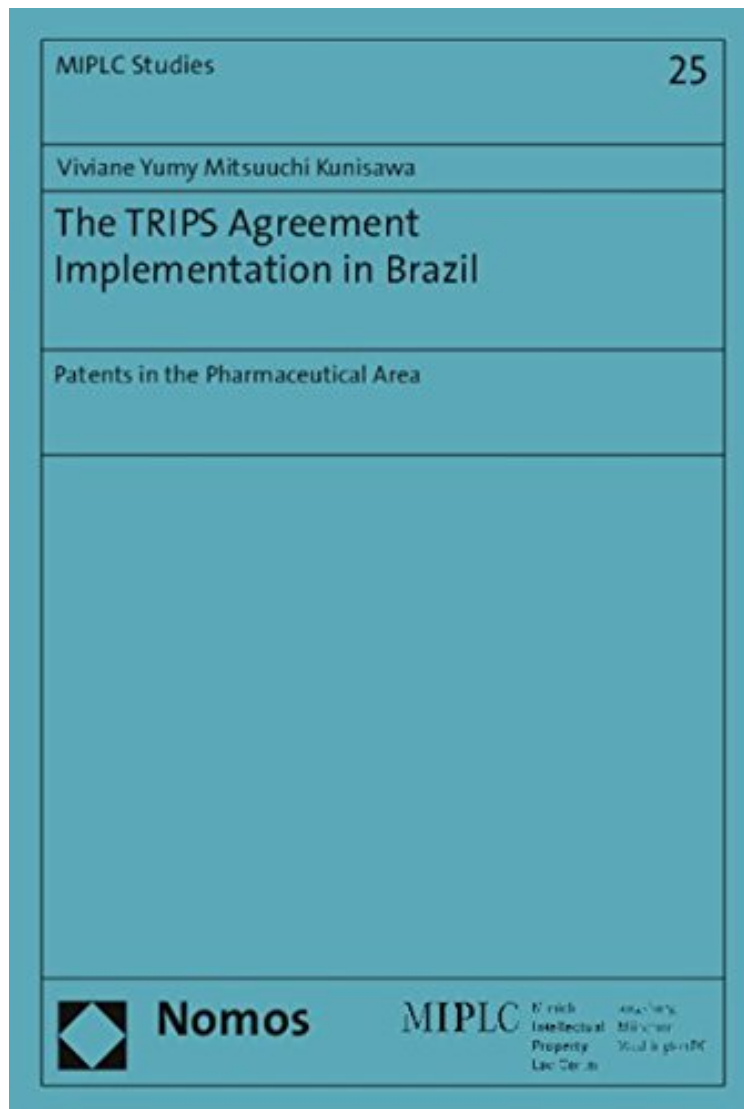


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## Pharmaceutical Area (Munich Intellectual Property Law Center):

Brazil's insertion into the World Trade Organization (WTO) has stimulated economic growth, as the country has been benefiting from lower trade barriers. The country has accepted the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) - Annex 1C of the WTO agreement - which sets out minimum standards of protection for Intellectual Property (IP) rights. Law No. 9,279, of May 14, 1996 was enacted to comply with TRIPS, suppressed restrictions to patentable subject matter, allowing patents in the pharmaceutical field. The granting of compulsory licenses as one of the flexibilities to patent rights provided in TRIPS and in the Brazilian law plays an important role in the governmental program of free distribution of drugs for the treatment of AIDS, evidencing the complex relationship between private and public interests. This study has been conducted with use of bibliographical method, providing for an analysis of the Brazilian patent law within the framework provided by TRIPS. The provisions on patents in the pharmaceutical area and compulsory license have been chosen to serve as the main driver for such analysis. Viviane Yumy Mitsuuchi Kunisawa is a Brazilian attorney specialized in IP Law.