

TozziniFreire's Technology & Innovation practice offers a wide range of services, positioning us as the first Brazilian full-service law firm focused on innovation and entrepreneurship. We collaborate with accelerators, venture capital funds, and major corporations, fostering a dynamic regulatory environment for the innovation ecosystem. Our multidisciplinary team, comprising ten partners from various sectors, enables comprehensive support for initiatives in agritech, healthtech, fintech, and more.

We provide legal counsel on corporate actions, contracts, privacy policies, M&A transactions and IA. Our recognized Cybersecurity and Data Privacy team conducts audits, manages incidents, and addresses data protection disputes.

Our Intellectual Property practice protects and enforces copyrights, trademarks, patents, and more, offering consulting on complex contracts and franchising agreements.

We cover litigation, cybersecurity and data privacy, technology and innovation, consumer affairs, and digital regulation, and are consistently ranked by Chambers Brazil, Legal 500, Latin Lawyer 250, Global Data Review, and WWL Global.

60 professionals

✔ Technology Transactional

✔ Technology Governance

✔ Regulatory

✔ Data Protection

✔ Intellectual Property

✔ Product Liability

✔ Litigation

| 2026: What's Driving Brazil's Tech Agenda

The National Data Protection Authority - or ANPD -, now a full regulatory agency (2026), has become a de facto "super regulator" overseeing data protection, AI, children's online safety, and cybersecurity. Meanwhile, 5,000+ consumer regulatory bodies at all government levels issue overlapping rules on tech matters, creating major compliance challenges.

1. Government as the Big Regulator

The government has sharply expanded its role as a digital economy regulator. The convergence of the Brazilian Data Protection Law (or LGPD), the AI bill, the Digital ECA, and sector-specific rules signals one of the most comprehensive digital regulatory environments in Latin America — with direct impacts on product design, data governance, and market access.

2. Digital ECA — Children's Online Safety

The Digital ECA (Law No. 15,211/2025), in force since March 17, 2026, applies to any tech product or service directed at or likely accessed by minors. Key obligations: privacy-by-design; age verification; parental supervision tools; ban on behavioral profiling and loot boxes; content moderation; and transparency reports for platforms with 1M+ users under 18.

Decree No. 12,880/2026 details implementation rules (age verification principles, prohibited content lists). Penalties: fines up to 10% of group revenue in Brazil (capped at BRL 50M per violation), plus possible suspension of activities. The ANPD is the enforcement authority.



Learn more about
the Digital ECA

3. AI Regulation — Bill No. 2,338/2023

Bill No. 2,338/2023, approved by the Senate in December 2024, is under review in the Chamber of Deputies (no confirmed vote date). It adopts a risk-based approach (excessive/high/lower-risk AI systems), applies broadly to any AI system used in Brazil, and designates the ANPD as coordinator of a new National AI Regulation System (SIA). Penalties: up to BRL 50M per violation or 2% of annual revenue. The Electoral Court (TSE) has also stepped in, banning deepfakes and requiring AI-generated content to be labeled in political campaigns — rules set to be tested at scale in the 2026 presidential election, with significant litigation expected.

4. New Platform Liability Decrees - Marco Civil da Internet

Brazil has enacted Decrees No. 12,975 and 12,976, which impose new content moderation, reporting, and transparency obligations on all internet platforms that intermediate third-party content (including social media, video platforms, search engines, app stores, ad networks, and AI services) effective July 20, 2026.

The decrees establish a “systemic failure” liability standard for platforms that fail to proactively prevent mass circulation of serious criminal content (terrorism, child exploitation, hate speech, violence against women, among others), mandate rapid-response takedown timelines (as short as 2 hours for intimate content), require local legal representation in Brazil, and designate the ANPD as the enforcement authority. This matters now because the compliance deadline is imminent, non-compliance carries significant liability exposure, and the new framework fundamentally shifts responsibility from a reactive (notice-and-takedown) to a proactive (duty of care) model. Any company operating digital services accessible to Brazilian users should assess its exposure immediately.

Also on Our Radar



IP Snapshot

The Brazilian Patent and Trademark Office (BPTO or INPI) closed 2025 with historic highs: 504k+ trademark filings (first time above 500k), patent filings up 6.7%, and software registrations surging 36.2% YoY — the fastest-growing IP category.

SEPs: Brazil is now a key venue for global SEP enforcement, with 40+ judicial actions filed in 2025 (Huawei v. MediaTek, IPBridge v. BYD, InterDigital v. Disney).

AI Patent Guidelines: INPI launched a public consultation on draft guidelines for AI-related patent applications, covering authorship, eligibility, and inventive step.



Data Protection & Privacy

Brazil–EU Adequacy: The European Commission recognized Brazil’s LGPD as essentially equivalent to EU standards (January 2026), simplifying cross-border data transfers.

ANPD Priorities (2026–2027): Children’s data, targeted advertising, AI/emerging tech (facial recognition, recommendation systems), public-sector data sharing, and biometric processing.

REDATA: New federal tax regime offering significant suspensions for qualifying data center companies and ICT suppliers.

Relevant Experience and Capabilities

Consumer Affairs

We have run this practice for over 20 years, since the Consumer Protection Code was enacted across all sectors including e-commerce. We advise companies on advertising campaigns, structure consumer-facing contracts, and litigate before Procon, SENACON, the Public Ministry, Small Claims Courts, and ordinary courts. Two decades of daily practice mean we know how Brazil’s 5,000+ consumer protection entities actually operate — their enforcement patterns, their priorities, what works and what does not when defending companies in this space.

Technology Litigation

We have represented the top technology companies — including major e-commerce platforms — in litigation for 14 years, essentially since tech litigation became a practice area in Brazil. This means we see, in real time, how each new regulation (Marco Civil da Internet, its implementing decrees, LGPD, the Digital ECA) generates litigation — and how to get ahead of it. We handle the full range: civil investigations, public civil actions, class actions, and leading cases at higher courts and administrative authorities.

Cybersecurity and Data Privacy

Our Cybersecurity and Data Privacy practice covers the full cycle: risk mitigation strategies for data use, disclosure, and storage; compliance with privacy and information security laws; cybersecurity audits; privacy policies and terms of use; incident management; and dispute resolution (including urgent judicial measures for data breaches). Context that matters here: the ANPD became a full regulatory agency in 2026 and now operates as a broad regulator over data protection, children’s online safety, and cybersecurity. The European Commission recognized Brazil’s LGPD as essentially equivalent to EU standards in January 2026, which directly impacts cross-border data transfer compliance for international platforms.

Technology and Innovation

We were the first Brazilian full-service firm to build a dedicated Technology and Innovation practice, with a multidisciplinary team of ten partners across corporate, M&A, litigation, capital markets, cybersecurity, IP, labor, and tax. We track all ongoing regulatory developments relevant to your business: the Digital ECA (Law No. 15,211/2025), the AI regulation bill (Bill No. 2,338/2023), and the ANPD's 2026–2027 enforcement priorities (children's data, targeted advertising, AI, biometric processing).

Below is a selection of directly relevant matters (client names anonymized):



E-Commerce and Digital Platform Regulation

- Assisting one of Brazil's largest retail and e-commerce companies throughout the entire process of its strategic partnership with a major Chinese e-commerce platform, from negotiating the MoU to formalizing the Master Operating Agreement for mutual product listing, covering cross-border data flows, platform interoperability, and data privacy compliance.
- Representing one of Brazil's largest retail and e-commerce companies in an investigation by consumer protection authorities regarding compliance with Mercosul decrees and Brazilian e-commerce legislation (Decree No. 10,271/2020 and Decree No. 7,962/2013), as well as analyzing the potential application of the new SENACON regulation (Portaria No. 61/2026) on price transparency rules for digital intermediation platforms.
- Assisting Latin America's leading marketplace and fintech platform on the implementation of an "opt-out" model for seller participation in promotional campaigns, addressing data protection, transparency, anti-discrimination measures, and compliance with Brazilian civil and internet laws.
- Assisting Latin America's leading e-commerce platform on a diverse range of data protection matters, including DPIAs, data breach analysis and notification obligations, compliance with ANPD resolutions on DPO requirements and international data transfers, and contract reviews.
- Assisting a leading Brazilian real estate company on strategic assessment of launching a direct-to-consumer e-commerce operation versus partnering with third-party marketplaces, covering consumer law exposure, data protection obligations, supplier liability, and platform design risk mitigation.



Marco Civil da Internet and Digital Platform Governancen

- Advising a leading global technology company on the implementation of the Digital Estatuto da Criança e Adolescente (Digital ECA) across its major products in Brazil.
- Assisting a major global social media platform on comprehensive compliance with the Marco Civil da Internet decrees, including duty of care, systemic risk assessment, complaint channels, content moderation, transparency, advertising and boosting rules, and generative AI obligations.
- Preparing a memorandum for a leading global short-form video platform on the new Marco Civil da Internet decrees, with mapping of regulatory impacts to support a compliance plan, as well as preparing materials on the impact of the decrees on the 2026 elections.
- Analyzing potential impacts of the new Marco Civil da Internet decrees on pending class actions for a major global social media company.
- Assisting a leading AI company on compliance with generative AI requirements under the Marco Civil da Internet decrees, including safeguards for blocking intimate content generation and AI governance frameworks.
- Assisting Latin America's leading online travel platform on compliance with the Marco Civil da Internet decrees regarding third-party content (reviews, partner ads), misleading advertising, boosting rules, and complaint channels.
- Assisting an international delivery app on compliance with Marco Civil da Internet decrees regarding third-party reviews and advertisements, misleading advertising rules, and complaint channel requirements.



Advertising Compliance and Consumer Protection

- Assisting a global visual discovery and social media platform on the legality and enforceability of third-party advertisements targeting Brazilian users in foreign languages, assessing platform liability under consumer protection law and CONAR standards.
- Assisting a leading global sporting goods retailer on Instagram advertising compliance with CONAR's Self-Regulation Advertising Code, including review of past posts, actionable compliance recommendations, and drafting influencer engagement agreement templates.
- Assisting a Chinese state-owned international media group on advertising regulations in Brazil, including overview of permitted and prohibited advertising categories, specific restrictions, and penalties for non-compliance.
- Assisting a Swiss fragrance company on intellectual property and consumer rights risk assessment concerning the commercialization of smell-alike perfumes and provocative advertising practices in Brazil, covering the Consumer Code, CONAR, and IP law.
- Assisting a global fast-food chain on analyzing a promotional digital campaign, assessing regulatory requirements for free online commercial games and age classification procedures under Brazilian legislation.



Data Privacy, Cybersecurity, and Product Compliance

- Assisting a multinational consumer products company on comprehensive data protection compliance since 2020, including LGPD Conformity Program implementation, external DPO services, data subject requests management, AI-based solution development, and Privacy Committee coordination.
- Assisting a major American multinational apparel corporation on data protection compliance, including marketplace contract reviews for digital transactions, international data transfers guidance, DPO structuring, and privacy policy updates.
- Assisting a prominent Swedish travel technology company on e-marketing strategies in Brazil, including promotional tools compliance, LGPD requirements for consent and legitimate interest, opt-in/opt-out considerations, and data retention in digital media.
- Assisting the world's largest air conditioner manufacturer on certification and homologation processes required by ANATEL for Wi-Fi and Bluetooth-enabled products, covering cybersecurity requirements, product conformity assessment, and mandatory labeling in Portuguese, as well as advising on IoT product compliance comparing Brazilian and Japanese legislation.
- Assisting a Chinese consumer electronics company on the regulatory framework for telecommunications products with Bluetooth functionality in Brazil, including ANATEL homologation, cybersecurity requirements, and consumer and data protection laws with a Privacy by Design approach.

CONTACT



Learn more about our
Technology & Innovation team