

Brand Protection Program - Toolkit

HOW TO ENFORCE YOUR IP RIGHTS AT **MERCADO LIBRE**



INTRODUCTION

“Mercado Libre is the largest e-commerce and fintech technological platform in the region, trading in 18 Latin American countries.”

Mercado Libre is the largest e-commerce and fintech technological platform in the region, trading in 18 Latin American countries. With 21 years of experience, MELI offers solutions for individuals and companies to buy, sell, offer, send, and pay for goods and services through the Internet via our Mercado Libre, Mercado Pago and Mercado Envios brands.

At Mercado Libre, we work across the entire Latin American region to offer tools to IP owners for them to enforce their rights, whether they are sellers in the platform or not.

Mercado Libre's main priority is to ensure a safe and enjoyable shopping experience for our customers. In pursuit of this goal, Mercado Libre strives to build credibility and trust for every actor who uses its services and maintains a strong commitment to eliminating the scourge of counterfeit and pirated goods on Mercado Libre sites.

In this way, we are constantly creating new solutions that allow our customers to protect their rights and to sanction those who breach the rules.

ABOUT BPP

With that in mind, we developed our Brand Protection Program (“BPP”) - previously known as “PPPI” - which invites rights-holder and their legal representatives to protect their full IP portfolio by reporting to Mercado Libre any listing that may allegedly infringe their IP rights, such as trademarks, patents, utility models, copyrights and industrial designs and utility models on all our sites across the entire Latin American region.

Our BPP helps IP owners to protect their rights by requesting removal of allegedly infringing listings that results in takedowns and in the sanctioning of repeat offenders.

Using machine learning technologies, Mercado Libre can learn from member’s reports through the BPP to proactively remove similar infringing listings.



THE REPORTING TOOL

BPP provides IP owners with **an effective and easy-to-use one-stop destination reporting tool**, to monitor and report allegedly infringing listings, at no cost. It is available for every rights holder to act on their behalf or through their proxies.

Mercado Libre's BPP reporting tool main features are:

- It is **available in the 18 countries** in which Mercado Libre operates.
- **One single account** to monitor and report allegedly infringing listings in all countries.
- **Free of charge.**
- Allow members to enroll and **enforce their full IP portfolio** including trademarks, copyrights, patents, and industrial models and designs.
- **Notice & Takedown procedure** with a counter-notice process.
- **Real-time search** in all of our sites and the possibility to submit reports either individually or in bulk, with just a few clicks.
- **Special search filters** and the possibility to use different criterias that make the reporting experience easier and more efficient.
- **Sellers audit feature** to differentiate trustworthy and suspicious sellers.
- Create and share **customized reports.**
- **Case management section** (counter-notice process) to track seller's responses all at the same place.
- **Several profiles** in the same account to allow team work.
- Available in 3 languages, **English, Spanish and Portuguese.**

OUR BPP LANDING PAGE

Additionally, we launched an exclusive landing page for the BPP which can be accessed at www.brandprotectionprogram.com in which IP owners (or its proxies) can find all relevant information concerning the benefits of the program and the enforcement tool, how to enroll in the program, our Terms and Conditions, a Q&A session and finally a direct link to access the reporting tool.

The landing page is also available in the 3 languages:



English



Spanish



Portuguese

Links of access



Brand Protection Program

[See more →](#)



Terms and conditions

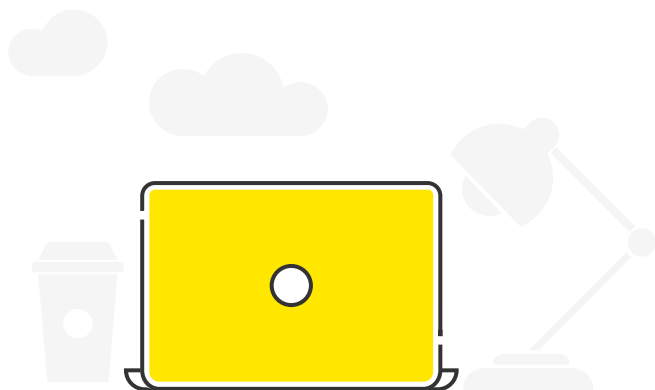
[See more →](#)



Reporting Tool

[See more →](#)

HOW TO ENROLL IN OUR BPP



01 Log in at BPP

Click on the following link:

www.brandprotectionprogram.com

02 Join

Click on **"I want to enroll"** and complete the corresponding form and attach the necessary documents (i.e. trademark registration certificates) .

03 IP Rights

IP owners (or their proxies) can enroll all types of IP rights, according to their enforcement strategy. Additional rights can be enrolled even after the process is finished.

04 Enrollment

Mercado Libre will process the data and documentation and, if it fulfills all requirements, the applicant will receive an email with a link to create their login credentials to access the tool and start monitoring and reporting.

05 Enforcement

Once in the program, IP owners will have the possibility to protect their IP rights in those countries in which the corresponding rights were enrolled.

THE REPORTING PROCESS (NOTICE & TAKEDOWN PROCEDURE)

The Notice and Takedown procedure through the BPP can be summarized in the following steps:

- A** The member of the BPP monitor for allegedly infringing listings by using a real-time search engine of the reporting tool.
- B** The member can select each listing individually or in bulk as suspicious, choose from different grounds of infringement (i.e. counterfeit, trademark infringement, copyright infringement, etc.) and submits the report.
- C** The allegedly infringing listing is paused (not available in the platform).
- D** The seller receives the member's notice with guidance on how they should reply to it and has 4 four calendar days to submit their counter notice. If he/she fails to reply before the deadline, the listing is definitely removed.
- E** If the seller replies within those 4 calendar days, (with the possibility to submit photos of the product, invoices, receipts, or any other documentation), the member has then 4 additional calendar days to either confirm or dismiss the claim.
 - If the **member accepts** the grounds of the seller (or fails to reply before the deadline) the claim is dismissed and the listing is reinstated.
 - If the **member does not accept** the grounds of the reply submitted by the seller, the listing is permanently removed from the marketplace and the seller is analyzed by Mercado Libre to determine whether a sanction should be applied.

FLOW CHART

01 Application and enrollment

Right owner becomes a member of IPPP

02 Notice of Claim Infringement

Member reports listings that allegedly infringe his IP rights

03 Counter Notice

ML pauses the listing and requests documentation to the seller

04 Counter Notice Analysis



Member accepts documentation

Listing is reactivated



Member rejects documentation or seller doesn't send documentation

Listing is definitely removed and the seller's profile is reviewed for potential sanctions

“We focus our efforts in analyzing distinctive behaviour patterns of a repeat offender.”

SANCTIONS TO SELLERS

For each listing taken down based on reports or proactive detections, the system triggers a global seller **behaviour analysis** to determine whether a sanction should be applied. The sanctions could go from a warning notice to a temporary suspension or the permanent shutdown of the account preventing them from operating in the marketplace.

We focus our efforts in analyzing distinctive behaviour patterns of a repeat offender. Once we detect a suspicious seller, various ratios are used to ban them from the marketplace, acting not only onto the accounts directly related to the reported listings but also over their associated accounts. After that, we cross information with other teams to try to avoid them from registering again on the platform.

COLLABORATION AGREEMENTS

We have entered into collaboration agreements with different stakeholders both from the private and the public sector, namely, authorities, chambers and associations from all over the region, focusing on health, tax, environmental and intellectual property matters.

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THANKS FOR READING!



Contact us!

 www.brandprotectionprogram.com