



## ABEL GOMES

### Partner

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### PRACTICE AREAS

- Intellectual Property
- Patents
- Trademark, Trade Dress & Publicity Rights Matters
- Litigation

### LANGUAGES

- Portuguese
- English
- Italian

### BIOGRAPHY

Appellate Judge (ret.) Abel Gomes joined Licks Attorneys as a partner in 2021, following his retirement from the Regional Federal Court of the 2nd Region, where he served for 16 years as appellate judge. Prior to his time on the appellate court, he served as a federal judge for 12 years. Mr. Gomes holds the distinction of being the longest-serving Appellate Judge dedicated to classes specialized in Industrial Property of the Regional Federal Court of the 2nd Region. He joined the 1st panel in 2005 and was rapporteur for over 300 decisions related to patents, trademarks, and industrial designs. His extensive experience in this area has solidified his reputation as one of Brazil's most knowledgeable and experienced magistrates in the field.

In addition to his legal career, Mr. Gomes has been honored with the Peacemaker Medal by the Ministry of the Army in 1997, as well as the Medal of Order of Military Merit and Pedro Ernesto Medal in 2007, among other prestigious awards. He has also taken on significant educational and academic endeavors, serving as a Visiting Professor at the School of Magistracy of the State of Rio de Janeiro (EMERJ) and holds the position of Vice-President of the Permanent Forum of Philosophy, Ethics, and Legal Systems of EMERJ. Additionally, he is a valued member of the Permanent Forum of Criminal Law and Criminal Procedure of EMERJ.

### REPRESENTATIVE CASES

- As Appellate Judge of the Regional Federal Court of the 2nd Region, was responsible for many decisions considered as important precedents in the field;
- In 2017, was responsible for the judgment of a case assessing the non-prohibition of software registration by article 10.V of the Brazilian Patent Statute, pursuant to Decree #2,556/98;
- In 2010, judged the impact of adjustments and term extensions for foreign patents (PTAs and PTEs) with corresponding ones in Brazil;

- In 2008, addressed a crucial matter for the research community of regulated products: the relationship of samples sales and licenses to determine the safety and efficacy of products against patentability requirements;
- In 2007, faced complex issues of industrial property as the rapporteur of the first decisions related to intertemporal law and the terms of patents and utility models in light of the succession of laws over time and the application of international treaties.

## PROFESSIONAL HIGHLIGHTS

- WIPR Leaders (2025).

## AFFILIATIONS

- Brazilian Bar Association – Rio de Janeiro (OAB/RJ);
- Association of Federal Judges of Brazil (AJUFE);
- Member of the Editorial Board of Editora Lumen Juris, Rio de Janeiro.

## EDUCATION

- Doctor of Juridical Science (S.J.D), Fundamental Rights and New Rights, Estácio de Sá University – UNESA (2021);
- Master of Laws (LL.M), Criminal Law, Rio de Janeiro State University – UERJ (2013);
- Bachelor of Laws (LL.B), Cândido Mendes University – UCAM(1989).

## PUBLICATIONS

- [How specialisation transformed Brazil's patent system](#), WIPR, 2024;
- [The success of the Brazilian utility patent system fostered by the Brazilian Judicial Branch](#), Lexology, 2024;
- [Efetividade do sistema de patentes de invenção brasileiro conferida pelo Judiciário](#), Conjur, 2024;
- [Brazilian Anti-Corruption Act: sanctions record vs. difficulty in defending companies](#), Lexology, 2023;
- [How does CGU interpret the Brazilian Anticorruption Statute terms](#), Lexology, 2023;
- [Lei Anticorrupção: recorde de sanções vs. dificuldade na defesa das empresas](#), Conjur, 2023;
- [Como a CGU interpreta prazos da Lei Anticorrupção](#), Valor Econômico, 2023;
- Direito penal moderno, crimes do colarinho branco e déficit democrático. In: Criminalidade econômica e empresarial: escritos em homenagem ao professor Artur Gueiros, Tirant Brasil, 2022;
- A homologação da delação premiada e a atuação judicial. In: Colaboração premiada: perspectivas teóricas e práticas, Verbo Jurídico, 2020;
- Estudos Hermenêuticos: em homenagem ao professor doutor Lenio Streck. Thoth Editora, 2019;
- A Ética da Punição. Editora Unisinos. Lumen Juris, 2018;
- Responsabilidade penal pela omissão de compliance. In: O Direito em Perspectiva, Editar, 2015;
- Juiz das Garantias: inconsistência científica; mera ideologia – como se só juiz já não fosse garantia, Revista do Centro de Estudos Judiciários do Conselho da Justiça Federal, 2010;
- Persecução Penal e Devido Processo Penal no Brasil e no Common Law Tradition: análise histórica e comparativa à luz da aplicação de princípios democráticos, Revista da Seção Judiciária do Rio de Janeiro, 2008;



- Lavagem de Dinheiro: comentários à Lei pelos juízes das varas especializadas em homenagem ao Ministro Gilson Dipp. Livraria do Advogado Editora, 2007;
- A Nova Lei Antidrogas. Editora Impetus, 2006;
- O problema do ônus da prova nos crimes de lavagem de dinheiro, Revista da Escola da Magistratura Regional Federal da 2ª Região, 2005;
- A obrigação de comunicar operações suspeitas, Revista da Associação dos Juízes Federais do Brasil, 2004;
- As provas do crime de tortura, Revista do Centro de Estudos Judiciários do Conselho da Justiça Federal, 2001;
- Crime Organizado e suas conexões com o poder público. Editora Impetus, 2000;
- Temas de direito penal e processo penal: em especial na justiça federal. Editora Renovar, 1999.