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**INDUSTRIAL PROPERTY LAW AMENDMENTS REGARDING INDUSTRIAL DESIGNS,
APPELLATIONS OF ORIGIN AND GEOGRAPHICAL INDICATIONS.**

Dear Friends and Clients,

We are glad to inform you that recently the Mexican Congress has approved important amendments to the Industrial Property Law which represent a major modernization to our legislation and that place our country at the level of most of the developed countries in terms of Intellectual Property rights protection.

Further to the Congress approval, now such amendments have been duly published in the Official Gazette and the most relevant amendments included are the following:

Geographical Indications and Appellations of Origin.

- Strengthening the protection for National Appellations of Origin
- Inclusion of the figure of Geographical Indications into the Law.
- A 2 month term for third parties to file opposition against the declaration of an Appellation of Origin or Geographical Indication is now included within the declaration process.
- Causes for suspending the declaration process of an Appellation of Origin or Geographical Indication are now included.
- The recognition of a Protected National Appellation of Origin or Geographical Indication abroad should be requested by the Mexican Industrial Property Institute (MIPI) to the corresponding foreign authorities.
- A term of 6 months prior to the end of the initial 10 year term granted as Authorization to Use a Protected Appellation of Origin or Geographical Indication is now included for requesting a renewal of such Authorization.
- Obligation for any authorized user of an Appellation of Origin or Geographical Indication to inform the MIPI about any corporate name change, corporate status change or domicile change.
- A new cause for cancellation of an Authorization to Use a Protected Appellation of Origin or Geographical Indication is now included.
- Causes for lapsing of an Authorization to Use a Protected Appellation of Origin or Geographical Indication are now included.

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- The obligation for the owners of an Appellation of Origin or Geographical Indication protected abroad to request the protection of the same within the Mexican territory and inclusion of a new full chapter describing the recordal of the same.
- Addition of causes for infringement actions related with geographical indications and appellations of origin.

Industrial Designs.

- The inclusion of the concepts “independent creation” and “significant degree” required to determine the novelty of an Industrial Design.
- Extension of the term of protection of the industrial designs which now will be valid until up to 25 years through renewals filed every 5 years after granting of the same. The renewals should be filed every 5 years within the 6 months prior to the expiration of the previous 5 year term.
- Publication of the utility model applications and industrial design applications, once the formal examination has been successfully approved.
- Publication of Divisional Patent Applications.
- Reduction of the term for third parties to file observations against registration of a patent from 6 months to 2 months.
- The addition of lack of renewal as a cause for cancellation of an industrial design.

These amendments will come into effect as from April 27, 2018 and will be applicable even for Industrial Design Registrations already granted which means that any granted Industrial Design can be subject of extend its initial term of 15 years to up to 25 years.

Should you have any questions or comments, please do not hesitate to contact us.

Legarreta y Asociados, S.C.