



HERRERO & ASOCIADOS

# Reform of the LFPPI in Mexico

## Main changes in patents and trademarks



Published on April 3, 2026



In force since April 4, 2026



### What is the purpose of the reform?

To modernize the Mexican industrial property system, speed up procedures, strengthen legal certainty and adapt it to digitalization and international standards.



### PATENTS



**1 Provisional patent application**  
Allows applicants to secure a filing date with a preliminary application. It requires the inventor's name and a basic description. It grants a non-extendable 12-month period to file the formal application. It is not published, not examined, and does not create international priority.



**2 Patent entitlement action**  
If a patent was granted to someone who was not entitled to it, the true owner may claim it before IMPI as long as the patent remains in force.



**3 Maximum time limits for decisions**  
IMPI must issue decisions on patents, utility models and industrial designs within a maximum of 1 year from the start of substantive examination. For integrated circuit layout designs: 2 months.



**4 Restoration of rights and reinstatement of priority**  
Mechanisms are introduced to prevent the automatic loss of rights due to formal non-compliance. Restoration may be requested within 15 business days; reinstatement of priority, within 2 months.



**5 Specialized Technical Committee and mandatory decision**  
A committee is created within IMPI to review unjustified delays. Interested parties may request a mandatory decision when IMPI exceeds the legal time limits.



**6 Expanded third-party observations**  
Any person may submit relevant technical or documentary information to IMPI not only for patents, but also for utility models and industrial designs.



**7 Supplementary certificate for regulatory delay**  
Compensation of up to 5 years is envisaged for unreasonable delays in marketing authorization, provided that the health authority recognizes them and requests it from IMPI.  
*Pending practical implementation within the health regulatory framework.*



### TRADEMARKS



**1 New registrable signs**  
The catalogue of registrable trademarks is expanded and now includes, among others, position marks, motion marks and multimedia marks.



**2 New ground for refusal**  
Signs identical or confusingly similar to elements of cultural heritage, traditional knowledge or cultural expressions of Indigenous peoples and Afro-Mexican communities may not be registered.



**3 Time limits for IMPI actions**  
The reform sets maximum time limits for various IMPI actions concerning distinctive signs and related proceedings.



**4 Suspension of proceedings**  
The suspension of trademark applications is regulated when there are related nullity, cancellation or lapse actions, or when the outcome depends on another proceeding.



**5 Infringement proceedings through digital channels**  
Administrative infringement proceedings before IMPI may now be processed through digital platforms.



**6 Ambush marketing**  
The unauthorized exploitation of the reputation, prestige or commercial value of events, trademarks or distinctive signs is incorporated as an administrative infringement.



### Practical impact

The reform introduces more procedural tools, greater digitalization, clearer time limits and new forms of protection for rights holders in Mexico.

Base articles:

<https://hyaip.com/en/mexican-patent-law-reform-lfpipi-guide/>

<https://hyaip.com/en/reform-mexican-federal-changing-trademarks-mexico/>

Source: articles prepared by H&A Mexico experts on the LFPPI reform (April 2026).