



Legal Network International

IP and trade mark news – March 2026

A monthly update on global IP and trademark news from the member firms of the Legal Network International (LNI).



France

In a judgement dated March 18th 2026, The French Supreme Court held that a claim of unfair competition and parasitism can be raised for the first time on appeal when a claim of IP infringement has been dismissed on first instance by the judge, subject to the fact that it relies on the same facts. This is motivated by the fact that both of these two claims pursue the same objective: to put an end to the disputed commercialisation and compensating harm suffered.

The Court further clarified that parasitism may be invoked independently of any competitive relationship and that the lack of exclusive rights (such IP rights) should not lead to the exclusion of parasitism, provided that there is an individualised economic value resulting from expertise and/or investment.

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Mexico

A new amendment to the Mexican IP law was recently approved by the Chamber of Deputies proposes changes to the Federal Law for the Protection of Industrial Property (LFPPI) that may significantly impact the protection and enforcement of intellectual property rights in Mexico. The reform is part of an ongoing effort to strengthen the country's IP framework and further align it with international standard, particularly with the negotiations of the USMCA.

Among the most relevant aspects, the bill enhances the powers of the Mexican Institute of Intellectual Property (IMPI), particularly in the investigation and prosecution of infringements. It also seeks to reinforce the availability and effectiveness of preliminary injunctions and other enforcement tools, enabling rights holders to act more swiftly against infringing activities. The proposed amendments further include adjustments to nullity and cancellation actions, introducing greater clarity in procedural rules and potentially modifying evidentiary burdens. These changes are expected to directly impact litigation strategies, particularly in trademark disputes and actions involving non-use or invalidity claims.

This proposed amendment comes in a broader context of heightened enforcement expectations in anticipation of the FIFA World Cup 2026, which will be hosted in part by Mexico. In this regard, issues related to ambush marketing (which is now typified as an infringing action) are likely to gain increased relevance. Authorities and rights holders are expected to adopt a stricter approach against unauthorized commercial associations with the event, including the use of protected symbols, branding, and misleading advertising practices that may suggest sponsorship or affiliation.

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From a practical perspective, companies operating in Mexico, particularly those engaged in advertising, consumer goods, retail, and media, should carefully assess their marketing strategies to mitigate risks associated with ambush marketing and ensure compliance with applicable IP and advertising laws. These changes to the LFFPI and new regulations are still pending to be revised and approved by the Senate and must be published in the Official Gazette before entering into force. Until then, the existing legal regime remains applicable.



Sweden

The Swedish government proposes changes to the Copyright Act. The proposal aims to alter Sweden's private copying levy system. The current system has been criticised for being outdated. The new system will become technology-neutral, expanding the right to compensation to more creators, such as authors and photographers, whose work is made available for commercial purposes. The remuneration per unit of storage capacity for storage media and multifunctional devices, is reduced and subject to a cap. For devices used for making copies, such as photocopiers and printers, a fixed remuneration level is introduced.

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