



Legal Network International

IP and trade mark news – July 2026

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

Mexico Broadens Protection for Non-Traditional Trademarks

The recent amendments to Mexico's Federal Law for the Protection of Industrial Property (LFPPI) have significantly expanded the scope of trademark protection by expressly recognizing new categories of non-traditional trademarks. In addition to traditional word and design marks, applicants may now seek protection for position marks, motion marks, and multimedia marks, reflecting a broader understanding of how consumers identify brands in today's digital marketplace. These changes align Mexico with jurisdictions that have long embraced non-conventional branding while providing businesses with new tools to protect innovative marketing strategies.

The reform is particularly relevant for industries where branding extends beyond logos and names. Fashion companies may now protect the specific placement of a sign on a product, entertainment and technology companies can seek protection for animated branding elements, and multimedia businesses may combine visual and audio components within a single trademark application. As marketing increasingly relies on dynamic digital content rather than static identifiers, these new forms of protection offer businesses greater flexibility in safeguarding their commercial identity.

From a practical perspective, however, the reform also raises important challenges. Applicants will need to establish that these non-traditional signs function as indicators of commercial origin and possess sufficient distinctiveness to qualify for protection. Similarly, businesses conducting clearance searches in Mexico must now consider a broader universe of potentially conflicting rights that extends beyond conventional word and logo marks. As the Mexican Institute of Industrial Property (**IMPI**) begins to examine these applications, practitioners will closely follow the criteria adopted by the Office, which are expected to shape the next generation of trademark practice in Mexico.



Mexico

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India

The dispute in the matter of Sumit Vijay vs Major League Baseball Properties (“MLB”), centred on whether MLB's globally famous BLUE JAYS trademark could block the Appellant’s registration of trademark “BLUE-JAY” under Class 25 which covers clothing, footwear and headgear. A Single Judge of the Delhi High Court had earlier ordered the cancellation of the Appellant’s trademark but the Division Bench of the Delhi High Court reversed that ruling on appeal. The Bench found no evidence of use or goodwill for MBL’s trademark in India, reaffirming the territorial nature of Indian trademark rights.

It held that MLB's mark was not a well-known mark in India when the Appellants secured registration in 1998, and that a mark's global reputation was irrelevant to a passing-off claim, the Court held that what mattered was goodwill specifically within India. Since baseball had negligible following domestically at the time, mere international broadcasts and online presence couldn't establish actionable Indian reputation. With no proven Indian goodwill, the bad-faith allegation under Section 11(10)(ii) also failed and BLUE-JAY's registration was restored.



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