

IP Authorities in Mexico issue Decrees and extends suspension of terms

Intellectual Property – June 15, 2020

Mexican trademark and patent office

- The Mexican Trademark Office issued a Decree through which it enables the physical reception of briefs regarding litigation proceedings by assigning an appointment.
- The briefs will be considered as legally filed at the next working day that the suspension is concluded, which is not yet defined.

Mexican Copyrights Institute extended the suspension period for all deadlines

- Due to force majeure, the Mexican Copyrights Institute has extended the suspension of all deadlines and terms, until the health authority issues the necessary measures for the resumption of activities and determines that there is no epidemiological risk.

Federal Court of Administrative Justice- Specialized intellectual property high court

- The Federal Court of Administrative Justice extended the suspension of jurisdictional activities until June 30th, 2020; those days shall be considered as non-working days, thus, there will be no deadlines or terms.
- This measure will not apply for trials processed at the Specialized Intellectual Property High Court **through the Online Justice System**, if:
 - I. The initial claim was filed through the Online Justice System before March 18th, 2020.
 - II. The authority, which is a party at the trial has not suspended its activities.
 - III. That there are no legal impediments to continue with the case, or, in case it exists, that this situation is stated in the case's file.
- As of June 16th, 2020, there will be the possibility for Regional Courts to issue rulings and will serve the parties through the jurisdictional bulletin, enabling hours and business days for this purpose.

Federal Circuit Courts and Federal District Courts

- The Federal Judicial Council's work scheme and contingency measures implemented during the public health emergency from June 16th to June 30th, 2020, will be as follows:
 - I. **Resolution of urgent cases:** Only new cases that qualify as urgent will be processed, whether they are filed physically or through the online trial platform
The Courts will enable hours and working days for such purpose.
 - II. **Resolution of cases physically processed:** The resolution of those cases that have been physically processed and that only remains pending to issue the final ruling, will resume.
The Federal Circuit Courts will hold virtual sessions for solving such trials.
 - III. **Processing of trials through the online trial platform:** The admission of new trials will be authorized and the processing of the trials initiated prior to the contingency period will resume, as long as, their stages can be carried out through the use of electronic means.
This will not apply to those trial in which it is still pending hearings or judicial proceedings that require the presence of the parties or to carry out personal notifications.

The suspension of deadlines and terms shall not apply for trials filed by the electronic-court system.

- The suspension of all deadlines and terms will remain for all trials other than those mentioned in the previous paragraphs.
- The Federal Judicial Council has also published an Official Agreement with specific guidelines for the integration of electronic files and the use of videoconferencing.

Should these measures have an adverse effect on you, please do not hesitate to contact our team with expertise in intellectual property matters, who can be of assistance:

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