

TRADEMARKS IN MEXICO

Type of Trademarks to apply for:

- Name mark
- Design mark (logotype)
- Three-dimensional marks
- Color marks
- Olfactory marks
- Sound marks
- Trade dress
- Hologram mark
- Collective marks
- Certification mark

Data for filing a new TM application

- Applicant information
- Name
- Nationality
- Address (street, number, city, country and zip code)
- Address of the commercial or industrial establishment, if it is different from business address.
- Trademark and logo or figures if any.
- List of products or services
- Date of first use in Mexico (day, month, and year) if can be demonstrated by official documents.
- Date, serial number and country of the priority to be claimed. No priority document is required.

Documents required for filing a new TM application

- Scanned copy of Power of Attorney. Neither legalization nor certification is required.
- Co-ownership agreement with usage rules, in case of there are two or more applicants.

Priority acknowledgement

Priority rights are recognized under the Paris Convention if trademark application is filed within the 6 (six) months period from the base application filing date.

Trademark searches

Conduct phonetic and/or graphic searches are advisable before filing a new TM application.

Opposition system

All applications are published for opposition within 10 days after filing and a 30 days period is opened to receive opposition motions from third parties. Applicant is able to submit an argument within a new period of 30 days counted from a second publication in case of an opposition arise.

Compulsory Declarations of Use

All new registrations must file a declaration of use within a period of three months after **completion** of the third year of life. All new and old registrations must file a compulsory declaration of use at the time of applying the renewal for a new period of 10 years.

Renewal

Trademark renewals can be filed within the last 6 months of life and there is a grace period of 6 additional months after the expiration date. A sworn declaration of use has to be included along with the renewal application.