

## Mexico | Mandatory registration of changes to the name or business name

The amendment to the Federal Law on the Protection of Industrial Property (LFPPI), Published on April 3, 2026, introduces various changes to the management of intellectual property in Mexico, including the **mandatory registration of changes to the name, corporate name, or business name of the owner of a registered trademark.**

### What are the benefits of updating trademark ownership with the IMPI?

Registering these changes is now mandatory and essential, primarily for a legal reason: to ensure they are effective against third parties. Although a change of name or business name is a legal act within the trademark owner's authority and is valid before the commercial authorities of the relevant country, it must be filed with the Mexican Institute of Intellectual Property (IMPI) to be effective against third parties. Thus, interested parties can verify the existence and ownership of a trademark registration. This is particularly useful if the trademark owner becomes involved in litigation.

### What happens if the change of business name is not registered with the IMPI?

Failure to register the change of corporate name with the IMPI can have negative consequences, including the following:

#### Enforceability against third parties

In the absence of recordal of the assignment, the transfer of ownership shall not produce effects against third parties. Consequently, in order for the assignee to be recognized as the legitimate owner with full legal standing, the assignment must be duly recorded with the IMPI.

## Legal certainty

Legal certainty in trademark matters seeks to ensure that exclusive Intellectual Property rights align with the party that actually uses and exploits the trademark in commerce (principle of trademark authenticity). This protects not only the trademark registrant but also the consumer, who has certainty regarding the commercial origin of a product or service.

## Standing to bring legal actions

Only the owner officially listed in IMPI's records may initiate enforcement actions, such as oppositions, cancellation actions, infringement actions before Mexican authorities, and even defend their trademark against actions filed by third parties.

This is of utmost importance, as failure to update the ownership of a trademark registration in Mexico can result in a *lack of legal standing* before the IMPI. This means that, for the IMPI, "you are not the right person to request this," since you are not the owner of the registered trademark on which the action is based; consequently, the defense or enforcement action filed would be dismissed (not admitted) or would result in the dismissal of the proceedings (if detected after the process has begun, it causes the proceedings to end without resolving the dispute). In other words, the IMPI does not proceed to examine the merits of the requested action and terminates the administrative litigation proceeding.

Likewise, the Mexican Institute of Intellectual Property (IMPI) may determine that the claimant lacks legal standing where a discrepancy exists between the registered trademark owner and the purported (unrecorded) owner. In such circumstances, and for all purposes before the IMPI, the registered owner shall continue to be deemed the legitimate rights holder; accordingly, the unrecorded transferee will be considered not to have a sufficient legal interest to act.

Similarly, if a third party files an action against your trademark registration and the name or business name change has not been registered, you could lose the opportunity to defend your trademark. This occurs because the new business name does not appear as the owner of the registration and, therefore, "has no legal interest" or legal authority to act on behalf of the trademark, which belongs to the "former" business name.

## Difficulties in maintaining the trademark

When the time comes to file the declaration of use (in the third year from the date of registration) or the renewal application (every ten years), the IMPI will reject the application if it is filed in the name of a business name different from the one listed on the trademark certificate, unless you first regularize the change.

## Continuity of procedures

This allows the new owner to carry out maintenance procedures, changes of address, registration of contracts, registration of licenses, and, in general, to respond to official requests from the authority (if any).

## Commercial value

A trademark increases a company's assets, as it can be sold or even used as collateral for a loan. There, it will be necessary to prove ownership of the trademark in order to sell it or use it as collateral (often this encumbrance is also recorded with the IMPI).

For all these reasons, we recommend keeping up-to-date records, especially regarding trademark ownership in Mexico, to take advantage of the benefits this entails and avoid the legal risks and problems of failing to do so.

Please do not hesitate to contact us for any information or advice regarding trademarks and Intellectual Property.

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