

Argentina | New procedure for trademark opposition proceedings

The National Institute of Intellectual Property (INPI) issued Resolution No. 297/2026 **establishing new Regulations for the Administrative Procedure for the Resolution of Oppositions to trademark applications.**

This Resolution was published in the Official Gazette on August 10, 2026.

With these amendments, the INPI seeks to expedite and ensure predictability and efficiency to the proceedings to resolve the oppositions filed against trademark applications. To that end, clearer deadlines and stages are established, certain procedures are automated, and the submission of evidence is streamlined, reducing steps that cause delays.

The main changes are:

Automatic notice to the opponent: once the three (3)-month period for the applicant to negotiate the withdrawal of the oppositions has expired, a notice will be automatically generated requiring the opponent to state, within fifteen (15) business days, whether they intend to maintain the opposition. Within that same period, the opposing party may also submit additional arguments and evidence.

Simplification of the evidentiary stage: the evidentiary phase is eliminated as a separate stage. The parties may submit any type of evidence, which must be provided in documentary form at the time of filing the additional arguments for supporting the opposition or the response.

In exceptional cases, if it is not possible to provide documentary evidence, other types of evidence may be submitted, and the National Trademark Office will decide whether to accept them.

Electronic verifications: the parties may request, as evidence, the verification of websites, digital platforms, databases, social media, public records, or other electronic or computer-based sources.

In this case, the parties must specify the links or web addresses to access such public information. The Trademark Office will conduct the verifications when ruling on the opposition.

Claims of invalidity and cancellation: the parties may raise claims of cancellation due to lack of use or invalidity of trademark registrations when filing additional grounds for the opposition or filing the response.

In these cases, since all disputes will be resolved within the opposition resolution proceedings, it is not required to send a certified notification to the owner of the contested registration (a requirement established by Resolution 215/2026).

The claim of **invalidity in an administrative proceeding** is allowed only in those cases in which the trademark registration was granted in violation of the provisions of the law (established in Article 24(a) of Law 22,362). Other grounds for invalidation must be resolved in a court action.

If the legal grounds for requesting the cancellation or the invalidation of the trademark registration arise after the expiration of the aforementioned deadline, the claim may be filed separately, and the opposition proceedings will be suspended until the decision on cancellation or invalidation becomes final.

Automatic notice for filing closing arguments: since the evidentiary stage has been eliminated, once the period granted to the applicant to respond to the oppositions has expired, a notice will be automatically issued to both parties for filing their closing arguments within a common term of ten (10) business days.

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INPI Resolution No. 297/2026 replaces the current regulations and applies only to oppositions filed against new trademark applications filed on or after March 1, 2026. Oppositions filed against applications filed before such date will continue to be processed under the former regulations.

Trademark protection in Argentina

At **UNGRIA**, we have a **local team of trademark attorneys** that can advise and assist you with all aspects of trademark registration and maintenance.

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