

MGPS

MÜGGENBURG,
GORCHES Y PEÑALOSAINITIATIVE TO REFORM THE FEDERAL
COPYRIGHT LAW AND THE FEDERAL
LAW ON INDUSTRIAL PROPERTY
PROTECTION [Read more...](#)

On November 6, 2024, an initiative was published in the Parliamentary Gazette of the Chamber of Deputies to reform the Federal Copyright Law and the Federal Law on Industrial Property Protection, with the aim of protecting the cultural heritage of Indigenous and Afro-Mexican communities. The proposal seeks to prevent the names, denominations, or demonyms of these communities from being registered as trademarks or used for commercial purposes without prior authorization. Additionally, it establishes that these communities must receive economic compensation for the exploitation of their cultural heritage.

The initiative responds to recent cases of cultural appropriation, where companies have used cultural elements from Indigenous and Afro-Mexican communities without their consent or acknowledgment. If approved, the reform would expand the protection of these communities' collective Intellectual Property rights, ensuring respect for their cultural identity in the commercial context.

"CHICLE MAYA DE QUINTANA ROO Y
CAMPECHE" AND "BUTIFARRA DE JALPA DE
MÉNDEZ" ARE DECLARED GEOGRAPHICAL
INDICATIONS [Read more...](#)

On October 24, 2024, the protection declaration for the Geographical Indication "Chicle Maya de Quintana Roo y Campeche" was published in the Official Gazette of the Federation. The publication defines the process of latex extraction from the chicozapote tree in the region, the product's characteristics, such as its color and texture, and the cooking and packaging processes. It also establishes that the protected product will be subject to the provisions of the "Rules for the Use of Chicle Maya de Quintana Roo y Campeche".

On the other hand, on November 11, 2024, the protection declaration for the Geographical Indication "Butifarra de Jalpa de Méndez" was published in the Official Gazette of the Federation. The publication describes the protected product, including its characteristics, components, extraction methods, production processes (both artisanal and semi-industrial), packaging, and commercialization. It also establishes that the protected product will be subject to the provisions of the "Rules that set forth the characteristics and specifications for the production, processing, packaging, and commercialization of the Geographical Indication 'Butifarra de Jalpa de Méndez'".

THE SPECIALIZED COURT IN
INTELLECTUAL PROPERTY MATTERS OF
THE FEDERAL COURT OF ADMINISTRATIVE
JUSTICE RULES ON THE REGISTRATION
OF WORKS CREATED BY ARTIFICIAL
INTELLIGENCE [Read more...](#)

On November 8, 2024, the ruling 788/24-EPI-01-2 issued by the Specialized Court in Intellectual Property Matters of the Federal Court of Administrative Justice was made public. In this ruling, an official communication issued by the Director of the Public Copyright Registry was challenged, in which the request for the registration of a work created by artificial intelligence (AI) was dismissed on the grounds that it could not be registered according to Article 12 of the Federal Copyright Law, as it was not created by a natural person.

The plaintiff argued that the decision was not properly justified and that a discriminatory act occurred by not recognizing the non-human entity that generated the work as the author. Additionally, it was argued that an interpretation in accordance with International Treaties was omitted. After analyzing the arguments submitted, the Court determined that the challenged decision was valid and that the law prohibits the registration of works created by AI. Consequently, the ruling upheld the validity of the challenged decision, dismissing the plaintiff's arguments as unfounded and reaffirming that only original works created by human beings are eligible for registration.

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