

ARGENTINA: INPI Issues First *Ex Officio* Trademark Nullity Decisions on Relative Grounds

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In an institutional shift, Argentina's National Institute of Industrial Property (INPI) has started issuing *ex officio* nullity decisions based on trademarks that are either identical or confusingly similar to prior applications or that include a celebrity's name without authorization. These decisions, issued on April 1, 2026, represent a significant expansion of INPI's recent practice of administrative trademark cancellations and signal a stricter review of registration errors.

In its decision the trademark DERMA POST was declared invalid, Disposition No. DI-2026-117-APN-DNM#INPI, the INPI declared the nullity decision necessary because the mark was confusingly similar to an earlier-filed trademark application covering related goods in Class 3. The office relied on the principle of "first in time, first in right," finding that the later registration had been granted in error in violation of Sections 3(a) and 24(a) of the Argentine Trademark Law.

Similarly, the INPI declared the word mark RECTICAL invalid, in Class 5 Disposition No. DI-2026-117-APN-DNM#INPI, after determining the mark conflicted with an earlier registration covering the same goods. The authority again emphasized that the registration constituted an administrative error subject to *ex officio* nullity proceedings under Section 24(a) of the Argentine Trademark Law.

INPI also recently extended this approach beyond similarity conflicts. In Disposition No. DI-2026-117-APN-DNM#INPI, the INPI declared invalid the registration for the design mark LP 5 LEANDRO PAREDES in Class 25 because it included the name of Argentine football player Leandro Paredes without authorization, invoking Section 3(h) of the Argentine Trademark Law.

These decisions follow a first wave of *ex officio* nullity decisions issued in November 2025, in which INPI targeted registrations improperly granted based on absolute grounds, that is, for being generic, descriptive, or otherwise contrary to the general provisions of the Argentine Trademark Law.

Together, the decisions suggest that INPI is moving toward a more active supervisory role over the integrity of the trademark register, increasing the risk that improperly granted registrations may later be canceled administratively on both absolute and relative grounds, even without a third-party challenge.

Although every effort has been made to verify the accuracy of this article, readers are urged to check independently on matters of specific concern or interest. Law & Practice updates are published without comment from INTA, except where it has taken an official position.

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