

### Recent legislative and judicial updates on technology-related matters

Mexico City, July 9, 2025

#### Background

From June 23 to July 2, 2025, the Congress held an extraordinary legislative period during which a broad agenda was approved. The agenda focused on security, digitalization, telecommunications, administrative simplification, and institutional control. The approval of more than ten bills within such a short period has been strongly questioned.

In addition, the Judiciary Branch has also recently issued different criteria and case law in relation to tech-related matters, from AI to copyright and rules for terms and conditions in the digital environment. Many of these legislative and judicial updates impose new obligations on the private sector, particularly impacting on companies within the tech industry.

## New Telecommunications and Broadcasting Law

**Key points:** The IFT is replaced by the Digital Transformation and Telecommunications Agency. The prohibition on radio, TV and digital platforms from broadcasting advertisements or propaganda of foreign governments was maintained. The Law defines the term "digital platform", but currently does not impose any regulation, except for the prohibition of advertising. The "kill switch" that allowed platforms to be blocked for violating any law is eliminated.

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## Reforms on public security, data access, and national identity document

**Key points:** Amendments were approved to four key public security laws. A new mandatory biometric CURP has been established for the provision of services and procedures. Companies now have new obligations to provide unrestricted and immediate access to their databases or to allow interconnection to provide information about individuals to competent authorities, including biometric and identification data, telephone records, satellite mapping data, etc.

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## Reform of the Federal Competition Act

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### **New case law issued by the Supreme Court in relation to foreign jurisdiction clauses in T&C**

**Key points:** The Supreme Court issued a case law regarding the validity of clauses in terms and conditions that establish express submission to foreign courts, as included by foreign companies offering services in Mexico over the Internet. The Supreme Court held that such clauses violate the right of access to justice and the principle of equality between the parties.

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### **New case law issued by the Supreme Court in relation to AI and copyright**

**Key points:** In July, the Supreme Court issued a case law concerning INDAUTOR's refusal to register a work generated by AI (Leonardo IA, specialized in the generation of graphic content), determining that only natural persons can be recognized as authors, not AI models. AI-generated content is classified as "products" (not "works") and, since it cannot be registered, it is deemed to fall into the public domain.

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### **New case law issued by the Supreme Court on the acceptance of T&C**

**Key points:** In a case related to the online purchase of tickets, where the terms and conditions on the website included additional fees, the Supreme Court issued a new case law stating that it is not enough for the T&C to be public, accessible, and searchable on the supplier's website. The supplier must prove that the consumer had the terms and conditions in view at the time of purchase and expressly agreed to them.

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For further information related to the content of these legal updates, please do not hesitate to contact Xavier Careaga (TMT AI Counsel – [xcareaga@galicia.com.mx](mailto:xcareaga@galicia.com.mx)).

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