

On Call Protocol for the Alimentaria and Hostelco 2026 Trade Fairs

In preparation for the Alimentaria and Hostelco 2026 trade fairs, the Commercial Section of the Barcelona First Instance Court has approved a rapid response protocol to deal promptly with any potential conflicts relating to intellectual and industrial property rights (patents, trademarks, designs, and copyright), as well as trade secrets and unfair competition issues that may arise during these events.

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1. The courts activate their protocol

Just a few weeks before the Alimentaria 2026 Trade Fair (International Food and Drinks Exhibition) and the Hostelco 2026 Trade Fair (International Restaurant and Hospitality Exhibition) are held in Barcelona, the Judges of the Commercial Section of the Barcelona Court of First Instance are already prepared and have approved

the activation of the oncall and rapid-response Protocol created for the Mobile World Congress, which will now also apply to these Fairs both during the previous week and on the days of the events themselves (23 to 26 March 2026).

The Protocol provides for priority handling of applications for pre-trial examination (*diligencias preliminares*) and fact-finding

orders (*diligencias de comprobación de hechos*), as well as applications for interim measures —with or without a hearing— in matters relating to patents and technological innovations, industrial designs, trademarks and copyright, as well as antitrust, unfair competition and unlawful advertising, when linked to products or presentation, display, promotion, offering or sale activities connected to the Alimentaria and Hostelco Trade Fairs. The preservation of the confidentiality of information that may constitute trade secrets (Act 1/2019 and Directive (EU) 2016/943) is also strengthened in accordance with the specific protocol of the Barcelona Commercial Courts.

In general, during the week preceding the event and on the event dates, the Courts undertake to:

- a) Resolve applications for pre-trial examination and/or fact-finding orders within 48 hours.
- b) Resolve applications for interim measures:
 - If *ex parte* interim measures, within 48 hours of filing.
 - If *inter partes* interim measures (i.e. with a hearing), within a maximum of 10 days provided the defendant has pre-emptively filed a protective letter
- c) Decide on the admission of protective letters within 24 hours.

2. Participating companies should start preparing too

As the Courts are already prepared for the Alimentaria and Hostelco 2026 Trade Fairs, it is important that companies participating in these events are also prepared —whether they are rights holders

Participating companies should be ready

whose IP may be infringed during the fairs, or potential defendants whose participation could be disrupted:

- a) IP rights holders should act swiftly and in good faith. The courts will assess the urgency of any interim measures applied for and review the prior conduct of the rights holder to ensure the application was filed early enough to avoid creating artificial urgency or preventing, where possible, the other party from being heard.
- b) Anyone concerned about *ex parte* interim measures during the fairs should consider filing a protective letter in good time, so the court can review their arguments before granting any interim measures against them. Moreover, by filing a protective letter, the future defendant will already have legal representation, enabling immediate appearance before the Court and reducing the risk of *ex parte* interim

measures. Filing a protective letter ahead of the fairs is often particularly beneficial.

Gómez-Acebo & Pombo's IP team has extensive experience advising companies

participating in events such the Alimentaria Trade Fair and the Hostelco Trade Fair on the best strategy to protect their interests —whether to safeguard their rights through interim measures or to avoid surprises during the events.