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NOTABLE IPR DEVELOPMENTS 2025 - INDIA

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IPR News and Insights by KAnalysis

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KEY JUDGMENTS
PATENT

1. GUNJAN SINHA @ KANISHK SINHA AND ANOTHER Vs THE UNION OF INDIA & ANR. (WPA NO. 8691 OF 2023) *The Calcutta High Court upheld the constitutional validity of Section 53 of the Patents Act, 1970, and stated that the 20-year term of the patent starts from the date of the filling and thus rejecting the challenge that the patent term should commence from the date of grant or publication rather than the date of application. The Court held that Sections 53 and 11-A operate at different stages and are neither contradictory nor arbitrary, as the legislature has consciously created a graded framework of rights during the patent lifecycle. It noted that the twenty-year term from the filing date is consistent with Article 33 of the TRIPS Agreement, which is binding on India, and falls squarely within legislative competence. The Court emphasized the presumption of constitutionality of statutes and reiterated that patent rights are statutory, not fundamental. It further observed that the amended regime actually enlarges patent protection compared to the pre 2002 law. Finding no arbitrariness or violation of Article 14, the Court dismissed the writ petition and held Section 53 to be intra vires the Constitution.*
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2. BOEHRINGER INGELHEIM PHARMA GMBH AND CO. Vs. THE CONTROLLER OF PATENTS (LPA 129/2025 & CM APPL. 10551/2025) *Delhi High Court: Ruled that a revocation petition is not maintainable against a patent that has already expired as the court is prima facie are of the view that the very concept of revocation would imply the subsistence of the patent of which revocation is sought. it was necessary for the legislature to incorporate a specific provision to the effect that a revocation petition would not lie against an expired patent, as the very concept of revocation, at the cost of repetition, would imply that the patent was a subsisting patent which was alive. The court found a distinction in the trademark and patent act and further that the revocation of the trademark from the register is necessary to kill the said trademark but no such provision exists in patent as there is expiry limit for the same.*
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3. ITC LIMITED Vs. CONTROLLER OF PATENTS DESIGNS AND TRADEMARK (IPDPTA/13/2024) *Calcutta High Court stated that patentability of a patent cannot be strictly denied solely based on the speculative public policy, particularly in biotech. The high court set aside the Controller's order rejecting ITC Limited's patent application titled "A Heater Assembly to Generate Aerosol" under Section 3(b) of the Patents Act, 1970, holding the rejection to be unreasoned, cryptic, and legally unsustainable. The Court found that the Controller failed to examine the primary or intended use of the invention and wrongly presumed its exclusive association with tobacco based products, despite the invention not being so limited. It reiterated that Section 3(b) requires a reasoned nexus between the invention and any alleged prejudice to public order, morality, or human health, which was absent in the impugned order. The Court emphasized that patent grants confer only exclusionary rights and do not authorize unlawful commercial exploitation. Observing that tobacco-related inventions are not per se barred from patentability, the Court held that a mechanical invocation of public order or morality violates principles of natural justice. Consequently, the appeal was allowed and the matter remanded for fresh consideration in accordance with law.*
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4. F. HOFFMANN-LA ROCHE AG & ANR. Vs. NATCO PHARMA LIMITED (FAO(OS) (COMM) 43/2025) *The Delhi High Court, in an interim order concerning Roche and Natco over Risdiplam for treating Spinal Muscular Atrophy (SMA), undertook a nuanced examination of patent rights as compared to public interest in access to life-saving orphan drugs. On anticipation, the Court held that a species compound may be anticipated if it is clearly discernible to a person skilled in the art from a prior genus patent, thereby narrowing the coverage to disclosure gap left open in Novartis v. Union of India. The Court reached this conclusion through a detailed factual analysis and reliance on prior jurisprudence. On obviousness, it applied the stricter and infrequently used "person in the know" test, focusing on the inventor's knowledge at the time of the earlier patent, rather than the conventional person skilled in the art standard, to address informational asymmetries in genus–species claims. In assessing interim relief, the Court placed significant weight on public interest, noting that Risdiplam is the only SMA drug available in India and remains prohibitively expensive despite state support. Consequently, it held that the balance of convenience favoured Natco. Overall, the order reflects a careful, principled application of patent law standards in the context of pharmaceutical access.*

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5. BTS RESEARCH INTERNATIONAL PTY LTD Vs. CONTROLLER OF PATENTS & DESIGNS (IPDPTA 56 OF 2023) *The Calcutta High Court considered an appeal against the rejection of Patent Application No. 41/KOLNP/2012 relating to tri-hybrid cells. The Controller had refused the patent under Sections 3(j) and 3(c), treating the hybrid cell as part of an animal and as a naturally occurring substance, without addressing the artificial process employed. The Court held that the tri-hybrid cells were synthetic, produced through advanced genetic techniques, and therefore could not be classified as plants or animals under Section 3(j), nor as naturally occurring substances under Section 3(c). The Court emphasized the need to assess the invention as a whole, focusing on human intervention and technical steps in determining whether a process is essentially biological. Applying principles from the Sakata Seed decision, the Court outlined that the sufficiency of intervention depends on identifying the core method, the human/technical steps involved, and whether the outcome could be achieved by natural processes. The tri-hybrid cell, produced via dielectrophoresis and electrofusion, involved precise human controlled steps and achieved a functionally stable product not found in nature. Accordingly, the Court found the invention fell outside the prohibitions of Sections 3(j) and 3(c), setting aside the Controller's order and remanding the matter for fresh adjudication.*

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6. TAIHO PHARMACEUTICAL CO. LTD. Vs. THE CONTROLLER OF PATENTS C.A. (COMM.IPD-PAT 6/2022) *The Delhi High Court allowed an appeal against the Controller's refusal of a patent for novel piperidine compounds with anti-cancer activity. The Controller had rejected the application for lack of inventive step and under Section 3(d), treating the compounds as obvious derivatives of prior art D1 and not showing enhanced therapeutic efficacy. The Court held that the Controller failed to clearly identify the 'known substance' and provide a basis for comparison, impairing Taiho's right to respond and undermining procedural fairness. Relying on DS Biopharma Ltd. vs. Controller, the Court reiterated that objections under Section 3(d) require (i) identification of the known substance, (ii) explanation of derivation or novelty, and (iii) comparison of therapeutic efficacy. The Court emphasized that inventive step and Section 3(d) objections must be considered together, with due regard to data showing enhanced activity. Corresponding foreign patents and efficacy data may be considered in fresh adjudication. The appeal was allowed, the Controller's order set aside, and the matter remanded for reconsideration and a fresh hearing.*

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7. E.R. SQUIBB AND SONS, LLC & ORS Vs. ZYDUS LIFESCIENCES LIMITED (CS(COMM) 376/2024) *The Delhi High Court granted an interim injunction restraining Zydus from manufacturing, selling, importing, exporting, or dealing with any biosimilar of Nivolumab until the expiry of Squibb's Indian Patent No. IN 340060 on May 6, 2026. Squibb filed a quia timet suit alleging imminent infringement of its anti-PD-1 monoclonal antibody, Nivolumab (Opdyta in India). The Court observed that ZRC-3276, Zydus's biosimilar, shares the same CDRs and amino acid sequences as Nivolumab and binds specifically to PD-1, establishing a prima facie case of infringement. The Court rejected Zydus's challenges based on prior art, natural product arguments, Bolar exemption claims, reliance on the Opposition Board Report, and alleged delay in filing. It held that the cited prior art did not disclose the specific amino acid sequences, and the invention involved sufficient human intervention to be patentable. While acknowledging the public interest in biosimilars, the Court concluded that this does not override statutory IP rights and that post-patent expiry, Zydus may lawfully enter the market. Considering the balance of convenience and potential irreparable harm to Squibb, the Court granted the interim injunction and directed Zydus to disclose the quantity of any biosimilar already manufactured. The Court clarified that its observations were prima facie and would not prejudice the final trial outcome.*

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KEY JUDGMENTS TRADEMARK

1. ADITYA BIRLA FASHION AND RETAIL LIMITED Vs. FRIENDS INC & ANR. (CS(COMM) 566/2024) *In the present case, the Delhi High Court granted a permanent injunction in favour of Aditya Birla Fashion and Retail Ltd. against Friends Inc., restricting the unauthorized use of the trademark "PETER ENGLAND." The court extending the legal protection declared "PETER ENGLAND" a well-known trademark under the Trade Marks Act, 1999. The plaintiff was able to demonstrate extensive goodwill of the brand through extensive market presence, advertising, and celebrity endorsements. The defendants, though were selling genuine and authentic products, were restrained for unauthorized branding and selling the products. The decision aligns with global standards and trends while highlighting the need to approach the trademark enforcement through a balanced approach. This judgment sets a precedent for brand control beyond primary categories, impacting future trademark disputes. Courts must ensure trademark protection does not stifle fair competition or market accessibility.*
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2. MANKIND PHARMA Vs. LEMFORD BIOTECH PVT. LTD. AND THE REGISTRAR OF TRADEMARKS (C.O. (COMM.IPD-TM) 350/2022) *In a recent trademark dispute, the Court directed the removal of the mark 'LENOKIND' following a rectification petition. The petitioner, holding over 300 registered trademarks incorporating the terms 'MANKIND' and 'KIND', argued that the word 'KIND' had become exclusively associated with its brand due to prolonged use. It contended that the presence of a similar mark in the market could mislead consumers. Notably, the respondents did not submit a reply in the case. After reviewing the evidence, the Court acknowledged the petitioner's prior use of the 'MANKIND' and 'KIND' family of marks and ruled in its favor, ordering the removal of 'LENOKIND' from the trademark register.*
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3. KARAN JOHAR Vs. INDIA PRIDE ADVISORY PRIVATE LTD. & ORS. (I.A NO. 17865) *Karan Johar filed a lawsuit against the film Shaadi Ke Director Karan Aur Johar on the ground that it deceptively capitalised on his name and reputation, thereby misleading the public. This represents a significant advancement in Indian personality rights jurisprudence. The Bombay High Court granted an absolute injunction in favour of Karan Johar, underscoring increased judicial acknowledgment of publicity rights. The Court accepted his contention, holding that the unauthorised use amounted to an impermissible exploitation of his goodwill. The respondents argued that celebrity rights lack statutory basis and suggested that a disclaimer would suffice, but the Court rejected both submissions. It affirmed that personality rights flow from the broader rights to privacy and publicity and cannot be negated by disclaimers. The Court further held that CBFC certification does not bar judicial scrutiny, clarifying that censor approval cannot override individual legal rights. The ruling has renewed debate on the extent to which the expansion of personality rights may constrain creative freedom, particularly in balancing the rights of public figures against artistic expression.*
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4. UNDER ARMOUR INC Vs. ANISH AGARWAL & ANR (FAO(OS) (COMM) 174/2024) *Under Armour, a global leader in performance and sportswear apparel, has been sued by respondents for trademark infringement, passing off, and dilution. The dispute arose when Under Armour observed the use of the marks 'AERO ARMOUR' and 'ARMR' by the respondents in relation to clothing and accessories sold online. The respondents argued that the marks were structurally and phonetically similar to Under Armour's, creating a likelihood of consumer confusion. The Delhi High Court declined to grant interim relief to Under Armour, but imposed limited restraints on the respondents, including not using 'ARMR', not marketing goods as sportswear, and not printing 'AERO ARMOUR' on sleeves. The court also noted that the respondents' adoption of the impugned marks was not entirely honest, and that differences in theme or pricing meant different markets.*
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5. YAMAHA HATSUDOKI KABUSHIKI KAISHA Vs. REGISTRAR OF TRADE MARKS (COMMERCIAL MISCELLANEOUS PETITION NO. 650 OF 2022) *The Court considered the legality of the refusal to register the trademark "WR" applied for by Yamaha Hatsudoki Kabushiki Kaisha ("Yamaha"), which had been rejected by the Registrar/ Examiner of Trade Marks ("the respondent"). The Registrar declined registration on the ground that the mark was allegedly similar to Honda's registered mark "WR-V" and that such resemblance was likely to result in confusion or deception in the minds of the consuming public, given the presence of similar marks on the trademark register. The Court found that the impugned order was cryptic, non-speaking, and failed to adequately analyse the competing marks or the statutory requirements under the Trade Marks Act, 1999. Consequently, the Court quashed the order passed by the Registrar and directed that Yamaha's application be advertised before acceptance in terms of Section 20(1) of the Trade Marks Act, 1999, thereby permitting objections, if any, to be raised through the prescribed opposition process.*
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6. XX Vs. YY. & Ors. (CS(COMM) 531/2025) *The suit was filed by Birkenstock IP GmbH, the plaintiff, a German limited liability company conducting business in India through its wholly owned subsidiary, Birkenstock India Pvt. Ltd., seeking a decree of permanent injunction against the defendants for infringement of its intellectual property rights. The plaintiff alleged unauthorised use and imitation of its registered trademarks, copyrights, and registered designs associated with its globally reputed and well-known BIRKENSTOCK brand of footwear. Upon consideration of the material placed on record, the court granted an ex parte ad interim injunction in favour of the plaintiff. The Court restrained the defendants from manufacturing, selling, stocking, importing, exporting, advertising, or otherwise dealing in any products bearing the plaintiff's registered trademarks or deceptively similar marks. The order extended to cover the unauthorised use of the plaintiff's trade dress, shape marks, logos, packaging, or any other infringing or deceptively similar material, pending further orders of the Court.*
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7. FERRERO SPA & ORS Vs. M.B. ENTERPRISES (CS(COMM) 593/2021) *In the present matter, the plaintiffs sought a decree of permanent injunction against the defendant for infringement of their trademark, passing off, and damages in relation to the mark "NUTELLA." The plaintiffs further prayed for a declaration of "NUTELLA" as a well-known trademark under Section 2(zg) of the Trade Marks Act, 1999. The Court allowed the suit and declared "NUTELLA" to be a well-known trademark. A permanent injunction was granted restraining the defendant and all persons acting on its behalf from manufacturing, packaging, supplying, distributing, selling, advertising, or otherwise dealing in any counterfeit products bearing the mark "NUTELLA." The Court also awarded damages of ₹30,00,000 in favour of the plaintiffs and directed the defendant to pay ₹2,00,000 as costs to the Delhi High Court Bar Association Lawyers Social Security and Welfare Fund.*

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8. PERNOD RICARD INDIA PRIVATE LIMITED & ANOTHER Vs. KARANVEER SINGH CHHABRA (CIVIL APPEAL NO. 10638 OF 2025) *In the present matter, an appeal was filed challenging the judgment dated 03-11-2023 passed by the Madhya Pradesh High Court, which dismissed the appellants' challenge to the order dated 26-11-2020 of the Commercial Court. The original order of the Commercial Court had rejected the appellants' application seeking an interim injunction restraining the respondent from using the trademark "LONDON PRIDE." The appellants, Pernod Ricard, contended that the respondent's mark was deceptively similar to their well-known marks, including "BLENDERS PRIDE," "IMPERIAL BLUE," and "SEAGRAM'S," and that its use constituted trademark infringement and passing off. However, the Commercial Court found that the alleged similarity was insufficient to justify the grant of an interim injunction and held that the balance of convenience did not favor the appellants. On appeal, the High Court upheld this reasoning, observing that there was no immediate risk of irreparable harm that would warrant restraining the respondent from using "LONDON PRIDE" pending the outcome of the main suit. Accordingly, the application for interim injunctive relief was dismissed, leaving the question of substantive infringement to be adjudicated at trial.*

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9. MANKIND PHARMA LTD. Vs. REGISTRAR OF TRADE MARKS (C.A.(COMM.IPD-TM) 54/2024) *In the present matter, an appeal was preferred challenging the order dated 15-03-2024, by which Mankind Pharma Limited's ("Mankind") application for registration of the trademark "PETKIND" in Class 5 was refused. The refusal was premised on the existence of a prior application for a mark alleged to be phonetically and visually similar to "PETKIND," covering identical goods and falling within the same class. A Single Judge Bench of Tejas Karia, J., noted that Mankind was the proprietor of over 210 registered trademarks in Class 5 incorporating the suffix "KIND" and had acquired substantial goodwill and reputation therein. The Court held that the presence of the mark "PETKIND PHARMA" could not, by itself, justify rejection of the "PETKIND" mark, particularly in light of Mankind's extensive prior use and registrations of "KIND" formative marks. Consequently, the Court set aside the impugned order and directed the Registrar of Trade Marks to proceed with advertisement of the "PETKIND" mark in accordance with the Trade Marks Act, 1999.*

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10. WOW MOMO FOODS PRIVATE LIMITED Vs. WOW BURGER & ANR. (FAO(OS) (COMM) 143/2025) *The Delhi High Court dismissed the interim injunction application filed by WOW Momo against the use of the mark "WOW BURGER." The Court observed that the term "WOW" is generic in nature and, as such, cannot be exclusively appropriated by any single entity. Secondary meaning not proven: The plaintiff failed to establish that "WOW" had acquired distinctiveness or a strong secondary meaning in the market. It further noted that WOW Momo had, in prior instances, made disclaimers acknowledging the generic character of the term "WOW," which weighed against its claim of exclusivity. Applying the anti-dissection principle, the Court held that there was no prima facie similarity between the marks "WOW MOMO" and "WOW BURGER," as the dominant elements of the marks were not identical and the additional terms clearly distinguished the respective brands. The Court also noted that "WOW! BURGER" had not been used as a trademark in any commercial sense, which cast doubt on the plaintiff's entitlement to relief. In doing so, the Court emphasized the doctrine of "clean hands," stressing that a party seeking equitable relief in trademark disputes must act fairly and cannot rely on inconsistent or self-contradictory positions. Consequently, the application for interim injunctive relief was refused, leaving any substantive rights to be determined at trial.*
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11. MATTEL INC. Vs. PADUM BORAH (CS(COMM) 948/2025) *The Delhi High Court granted interim relief in favour of Mattel Inc. in a trade mark infringement dispute concerning the well-known mark 'BARBIE'. The relief arose from an application filed by Mattel under Order 39, Rules 1 and 2 of the Civil Procedure Code, 1908, seeking the grant of a permanent injunction restraining the defendants from using the trade mark 'BARBIE' or any deceptively similar marks. Upon consideration, the Court observed that the marks used by the defendants were visually, phonetically, and conceptually identical to the plaintiff's mark. The Court further noted that the use of such marks by the defendants was likely to cause confusion among consumers and amounted to an infringement of the plaintiff's trade mark rights under the Trade Marks Act, 1999. The Court held that the plaintiff had made out a prima facie case for infringement, and balance of convenience lay in its favour. Accordingly, the Court restrained the defendants from using the 'BARBIE' trade mark or any mark deceptively similar thereto.*
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12. HERMES INTERNATIONAL Vs. MACKY LIFESTYLE PVT. LTD. (CS(COMM) 716/2021) *The Delhi High Court in its judgment of the suit filed by Hermès International alleging trade mark infringement, passing-off, tarnishment, and misappropriation of its renowned Birkin bag observed and recognized that both the word mark 'HERMES' and the distinctive three-dimensional shape of the Birkin bag as well-known trademarks, noting their substantial reputation, extensive recognition in the market, and association with the plaintiff's goods. The Court observed that protection under the Act extends not only to word marks but also to product shapes that have acquired distinctiveness and secondary meaning in the minds of consumers. By granting this recognition, the Court highlighted that well-known trademarks and distinctive product designs enjoy elevated protection under Indian law, and any unauthorized use is likely to be restrained to prevent infringement, passing-off, and dilution.*
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KEY JUDGMENTS COPYRIGHT

1. ANI MEDIA PVT LTD Vs. OPEN AI INC & ANR. CS(COMM) 1028/2024 *In this escalating legal battle, Bollywood music giants such as T-Series, Saregama, and Sony Music take legal aim at OpenAI in India under the ongoing copyright dispute as the music powerhouses are challenging OpenAI over the alleged unauthorized use of their vast catalogs to train AI models. The labels contend that scraping their sound recordings without licenses constitutes a direct violation of the Copyright Act, threatening the economic foundation of the domestic music industry. In response, OpenAI is leaning on the "fair dealing" exception under Section 52, though they face an uphill climb given that Indian jurisprudence lacks a robust "transformative use" doctrine similar to U.S. law. While OpenAI previously raised jurisdictional hurdles, the Delhi High Court has signaled its intent to move forward. For now, the proceedings are focused on procedural interventions, but the eventual ruling will likely set a massive precedent for how generative AI interacts with intellectual property rights in India.*
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2. PHONOGRAPHIC PERFORMANCE LTD. Vs. AZURE HOSPITALITY PVT. LTD. CS(COMM) 714/2022 *The Delhi High Court addressed a critical dispute regarding the licensing rights of non-registered copyright societies. The plaintiff, PPL, sought an interim injunction to restrain Azure Hospitality from playing its copyrighted sound recordings without a license, asserting its status as an owner by virtue of assignment deeds under Section 18. The defendants contended the suit was barred due to a previously withdrawn Bombay suit and argued that under Section 33, only registered copyright societies could engage in the business of licensing. Rejecting these contentions, the Court ruled that the prior suit involved a distinct cause of action and that Section 30 grants an inherent, absolute right to owners and assignees to license their works independently of Section 33. Concurring with Bombay High Court precedents, the Court emphasized that a copyright society acts as an agent and cannot have rights superior to the owner. Consequently, the Court granted the interim injunction, favoring PPL's individual right to exploit its repertoire.*
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3. USTAD FAIYAZ WASIFUDDIN DAGAR Vs. A.R. RAHMAN & ORS., CS(COMM) 773/2023 *In a significant victory for the preservation of classical heritage, the Delhi High Court ruled in favor of Ustad Faiyaz Wasifuddin Dagar regarding the unauthorized use of the Shiva Stuti composition in the film Ponniyin Selvan: II. The court recognized the Junior Dagar Brothers as the original authors, rejecting the defense that the work was merely a traditional chant. By analyzing musical notations and a 1978 performance, the court distinguished protectable creative expression from common liturgical text, establishing that the composition possessed the requisite "modicum of creativity" for copyright protection. Finding a prima facie case of infringement in the song "Veera Raja Veera," the court issued an interim mandatory injunction. It directed the defendants to update credits on all OTT platforms to acknowledge the Dagar brothers and ordered a ₹2 crore deposit to the court.*
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4. ANI MEDIA PVT. LTD Vs. MOHAK MANGALAND ORS (CS(COMM) 573/2025) *In the case the Delhi High Court, addressed a conflict sparked by copyright strikes issued by ANI against YouTuber Mohak Mangal for using brief clips of their news footage. Mangal contended that his use is merely only seconds of footage in lengthy videos and constituted "fair dealing" for commentary. He further alleged that ANI's representatives demanded exorbitant sums, up to ₹45 lakhs plus GST, to withdraw the strikes, characterizing the business model as predatory extortion. The Court took a balanced procedural approach and recorded Mangal's commitment to privatize and edit the impugned video to remove objectionable segments before reposting. Additionally, the Court directed the removal of several disparaging and defamatory posts targeting ANI by third parties. While the core copyright questions remain for trial, the Court ordered Mangal to submit full recordings of his negotiations with ANI to examine the licensing demands.*
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5. AL HAMD TRADENATION Vs. PHONOGRAPHIC PERFORMANCE LIMITED, (C.O. (COMM.IPD-CR) 8/2024) *In the case of the Delhi High Court addressed whether charging unreasonable license fees for sound recordings constitutes a refusal that justifies a compulsory license under Section 31 of the Copyright Act. The dispute arose when petitioner sought a license for a small corporate event, but respondent demanded a flat fee of ₹55,440 (INR Fifty-five thousand four hundred and forty only) the same rate applied to much larger gatherings and refused a pro-rata payment offer. The petitioner contended that such arbitrary terms amounted to a constructive refusal, effectively withholding the work from the public. PPL argued that Section 31 applies only to total withholding and that their music remained accessible through published tariffs. The Court ruled in favor of Al Hamd, holding that an offer made on unreasonable or arbitrary terms constitutes a refusal. Emphasizing that copyright must balance owner rights with public interest, the Court found PPL's flat-fee structure meritless as it ignored audience size and event duration. Consequently, the Court allowed the petition for a compulsory license to proceed on fair and reasonable terms.*
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6. STAR INDIA PVT. LTD. Vs. IPTV SMARTER PRO & ORS. (CS(COMM) 108/2025) *The Delhi High Court addressed the rapid evolution of digital piracy by introducing a "superlative injunction" to protect time-sensitive sports broadcasts. Star India sought urgent relief to prevent rogue websites and mobile applications from illegally live-streaming high-value events like the IPL 2025 and the England Tour of India. The plaintiff contended that traditional impleadment processes were too slow to counter "mirror" sites that spawn instantly during live matches. The Court expanded the scope of existing "dynamic+" injunctions, ruling that real-time blocking should extend beyond websites to include rogue mobile applications. Court noted that the mode of dissemination via URL/ App is irrelevant when protecting a copyright owner's fundamental rights. Consequently, the Court ordered Domain Name Registrars and ISPs to suspend and block access to infringing interfaces on a real-time basis, ensuring that the plaintiff's rights are protected.*
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7. T.N.K. GOVINDARAJU CHETTY AND CO PRIVATE LIMITED Vs. BUVANA SARAVANAN (C.S.(Comm.Div.) No.129 of 2024) *In the case the Madras High Court resolved a complex dispute over the copyright of four classic Tamil films belonging to the late Mr. G.N. Velumani. After Mr. Velumani was declared insolvent in 1972, the Official Assignee took control of his assets. Through a court-sanctioned compromise, Devi Films acquired the rights to the films, which eventually vested in the plaintiff following an amalgamation. Decades later, Mr. Velumani's legal heirs claimed ownership, leading the plaintiff to seek a permanent injunction and damages. The Court ruled in favor of the plaintiff, determining that the rights had been legally transferred away from the original owner during insolvency proceedings. While the Court granted a permanent injunction and an accounting of profits, it declined compensatory damages due to insufficient evidence of actual financial loss.*
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8. SHEMAROO ENTERTAINMENT LTD. Vs. SAREGAMA INDIA LTD. & ORS., (COMMERCIAL IP SUIT NO. 557 OF 2022) *The Bombay High Court navigated the complexities of derivative works involving the 1982 film Disco Dancer. The dispute centered on whether a stage musical and a proposed new film by the defendants infringed upon Shemaroo's assigned remake and adaptation" rights. The Court clarified that under the Copyright Act, an adaptation includes the conversion of a dramatic work into a non-dramatic form or a different artistic medium. It held that the stage musical was a prima facie adaptation of the film's screenplay and plot, falling within the rights assigned to Shemaroo. However, the Court distinguished this from a sequel, which involves new stories featuring the same characters. The Court refused to restrain the production of the new film because Shemaroo's original lawsuit focused on the musical and failed to specifically plead how the new film infringed its rights. While the musical was addressed via consent terms, the prayer regarding the film was disposed of, leaving Shemaroo to amend its pleadings for future relief.*
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9. AISHWARYA RAI BACHCHAN Vs. AISHWARYAWORLD.COM & ORS., (CS(COMM) 956/2025) *The Delhi High Court protected the "personality rights" of the global icon against widespread digital misappropriation. The plaintiff alleged that various entities were illegally monetizing her persona through unauthorized websites, merchandise, AI-generated deepfakes, and even obscene chatbots. The defendants argued for different business models, but the Court found that such activities caused "incalculable loss" to her reputation and violated her right to live with dignity. The Court granted an ex-parte interim injunction, restraining the defendants from using her name, image, or voice through any technology, including Generative AI and deepfakes. Furthermore, it directed platforms and government authorities to block infringing URLs and disclose the identities of those behind the "John Doe" operations. This ruling reinforces that a celebrity's persona is a protectable commercial asset that cannot be exploited without express authorization.*
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OTHER IMPORTANT IP NEWS

1. REJECTION OF THE WELL-KNOWN STATUS TO 'TIKTOK' *The Bombay High Court in its recent judgement affirmed the decision of the Registrar of Trade Marks to refuse inclusion of 'TikTok' in the list of well-known marks. The Court stated that the said mark cannot be included in the said list as there was nationwide ban imposed on the petitioner's application 'TikTok' by the Government of India pertaining to sovereignty and integrity of India, Defence of India, Security of State and Public Order.*

2. PRADA AND KOLHAPURI CHAPPAL GI VIOLATION CASE DISMISSED *A PIL filed by the petitioner sought to restrain PRADA from selling 'toe ring sandals' allegedly deceptively similar to the GI-tagged 'Kolhapuri Chappal' without obtaining authorization from the registered proprietors or authorized users. The Court dismissed the PIL, holding that enforcement of rights under the Geographical Indications of Goods (Registration and Protection) Act, 1999 must be pursued through a civil suit by the registered proprietors or authorized users, and cannot be sought via a PIL under Article 226. The Court emphasised that questions of GI infringement involve private proprietary rights and statutory remedies, and cannot be converted into matters of public interest. The ruling reinforces the principle that statutory and proprietary rights under the GI Act must be enforced through the remedies prescribed by law, ensuring that legal processes are followed for protecting registered Geographical Indications.*

3. PROTECTION OF GURU SRI SRI RAVI SHANKAR'S PERSONALITY RIGHTS *In a recent ruling by the Delhi High Court, an application filed under Order 39, Rules 1 and 2 of the Civil Procedure Code, 1908 was considered wherein the plaintiff, Sri Sri Ravi Shankar, sought legal protection of his personality rights. The Court granted a John Doe injunction in favor of Sri Sri Ravi Shankar, restraining Defendant from creating, publishing, or disseminating any AI-generated videos depicting the plaintiff along with using his name, voice, image, likeness, unique style of speaking, or any other attribute that identifies him, for commercial or personal gain without his consent.*

4. TELUGU ACTOR NAGARJUNA GRANTED INTERIM INJUNCTION IN PERSONALITY RIGHTS CASE *Telugu actor Akkineni Nagarjuna, who has had a long and illustrious career in the film industry, has built substantial goodwill and recognition for his distinctive style of acting. In a suit filed with the to protect his personality rights, the Delhi High Court recognized the existence of the personality rights and that the unauthorized use of his name, image, voice, or persona constitutes an infringement of those rights. Consequently, the Court granted an interim injunction in favor of Nagarjuna and directed that all infringing websites and platforms disseminating such content be blocked or disabled. The order reinforces the legal protection of an individual's personality rights against unauthorized commercial or public exploitation.*

5. WIPRO DECLARED A WELL-KNOWN TRADE MARK *In a civil commercial suit filed by WIPRO seeking a declaration of the mark "WIPRO" as a well-known trademark, the Court held that the mark had acquired immense goodwill and reputation both in India and internationally. The Court noted that WIPRO has secured trademark registrations across several jurisdictions, including the United States of America, the United Kingdom, the European Union, Australia, Israel, the Philippines, Brazil, Canada, Malaysia, and Mexico. With over half a century of continuous and uninterrupted use and presence in the market, the Court concluded that the mark "WIPRO" satisfies the statutory criteria and accordingly deserves classification as a well-known trademark.*

6. PATANJALI RESTRAINED FROM DISPARAGEMENT OF CHYAWANPRASH *The Delhi High Court granted interim relief to Dabur by restraining Patanjali from referring to other chyawanprash brands as "dhokha." The Court held that Patanjali's advertisement conveyed the misleading impression that only its product was genuine, while all other chyawanprash products were deceptive, thereby disparaging the entire category. The Court observed that manufacturers holding valid drug licenses and producing chyawanprash in accordance with Ayurvedic texts under the Drugs and Cosmetics Act, 1940 cannot be accused of deceiving consumers. Such claims were held to constitute false representation rather than permissible puffery, justifying the grant of injunction for denigration and disparagement.*

7. MEDIATION BETWEEN AMBUJA AND JSW OVER "KAWACH" CEMENT BRANDS. *Ambuja Cements has instituted a suit before the Delhi High Court against JSW Cement and JSW IP Holdings Pvt Ltd alleging infringement of its registered trademark "Ambuja Kawach." Ambuja contends that JSW's adoption of the mark "Jal Kavach" for its cement product is deceptively similar, both phonetically and conceptually, with the dominant element "Kavach" forming an essential identifier of Ambuja's brand. The plaintiff further alleges deliberate imitation of its trade dress, packaging, and marketing expressions, resulting in likelihood of consumer confusion and dilution of goodwill in the premium cement segment. The Delhi High Court has referred the dispute to mediation.*

8. DEV ASHISH DUBEY Vs. UNION OF INDIA & ORS. (OPERATION SINDOOR PIL) *A public interest litigation has been filed before the Supreme Court seeking a prohibition on the trademark registration of "Operation Sindoor," the name associated with India's military operations targeting terrorist infrastructure in Pakistan. The petitioner, has challenged multiple trademark applications filed across different Trademark Registries in India. The plea contends that permitting such registrations would amount to commercialisation of national sentiment and the sacrifices of the Indian Armed Forces. It argues that the mark is barred from registration under Section 9 of the Trade Marks Act, 1999. The petition also references Reliance Industries Limited's withdrawn application for the same mark following public backlash. Emphasizing the public and national character of the term, the petitioner seeks judicial intervention. The relief sought includes a writ of mandamus restraining authorities from allowing registration of the mark "Operation Sindoor."*

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