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MIDDLE EAST – ASIA – AFRICA

AVIP

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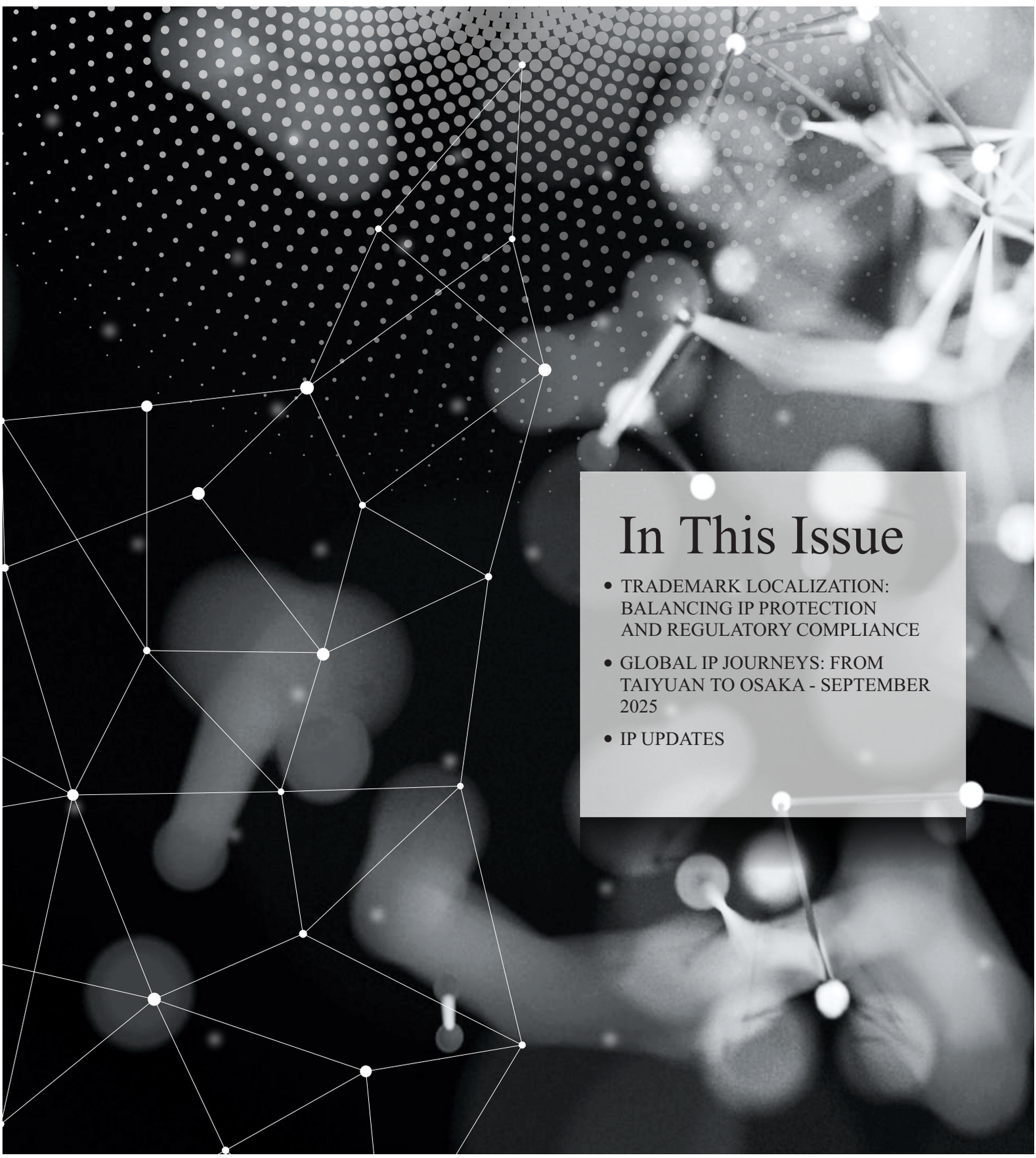

In This Issue

By Abdullah Hasan Manto
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TRADEMARK LOCALIZATION: BALANCING IP PROTECTION AND REGULATORY COMPLIANCE

When global brands expand into new jurisdictions, they often face a tension between maintaining trademark consistency and complying with local regulatory requirements. One of the most common areas where this tension arises is in the localization of brand names to meet language, cultural or legal standards. Done correctly, such adaptations do not weaken intellectual property rights but rather reinforce them while enabling lawful and effective market entry.

KFC in Quebec

In Quebec, Canada, Kentucky Fried Chicken operates under the name Poulet Frit Kentucky or PFK. This adaptation is not a matter of consumer confusion or unauthorized use. Instead, it is a direct response to Quebec's Charter of the French Language, which requires French to be predominant on public signage and business names. While trademarks in another language have historically been permitted, recent reforms (Bill 96) have tightened these rules. By proactively adopting a French language version of its brand name for the Quebec market, KFC preserves its trademark rights, complies with local law and maintains the brand's visual identity through consistent use of logos, packaging and trade dress. The ownership of the trademark remains with the parent company, and the adaptation is purely strategic. This is a textbook example of compliance oriented localization. Rather than resist or litigate, KFC leaned into the requirement, preserving consumer recognition and showing cultural respect. It demonstrates that adapting a mark need not dilute brand equity if the core identifiers remain intact. In fact, when done thoughtfully, it can actually strengthen consumer trust.

Burger King in Australia

When Burger King entered the Australian market, it discovered that the "Burger King" trademark was already registered by another party. Rather than abandon the market or engage in costly litigation, the company operated under the name "Hungry Jack's" through a local franchise arrangement. The brand's core visual elements and product offerings remained consistent, preserving consumer association despite the different name. While effective, this case highlights a potential weakness in global trademark strategy, failing to secure priority rights early. Although "Hungry Jack's" has become a strong brand in its own right, Burger King's situation serves as a cautionary tale for companies to conduct thorough clearance searches and file strategic registrations before market entry.

Pepsi in Argentina

Due to linguistic nuances in Argentine Spanish pronunciation, some marketing campaigns have informally embraced the local pronunciation "Pecsi" to resonate culturally. While this example is more marketing than legal compliance, it demonstrates how localized naming can strengthen brand connection without undermining the registered mark. Although this is not a case of formal legal adaptation, it underlines the commercial value of linguistic sensitivity. It shows that IP strategy and marketing creativity can work together to boost local acceptance, but businesses must ensure that any alternate spelling or phonetic variation is protected through proper trademark filings.

Unilever's "Axe" and "Lynx"

Unilever markets its male grooming products under the "Axe" trademark in most countries, but in Australia, Ireland, New Zealand and the United Kingdom, the brand is called "Lynx" due to prior trademark rights. Both marks are owned by Unilever in their respective territories, ensuring complete IP control. This dual-brand approach demonstrates disciplined IP management. Unilever's ability to operate two strong marks in parallel without eroding brand recognition shows the importance of portfolio integration. However, such a strategy demands significant marketing investment to maintain cohesion across jurisdictions.

Coca-Cola in China

Early transliterations of Coca-Cola in China during the 1920s produced awkward and sometimes comical meanings, including phrases interpreted as "bite the wax tadpole." Recognizing the issue, the company standardized its Chinese name as "Kěkǒu Kělè", meaning "tasty and joyful." This careful linguistic and cultural adaptation became one of the most celebrated examples of successful trademark localization. It remains a leading example of how thoughtful localization can strengthen both consumer resonance and trademark integrity.

Mitsubishi Pajero / Montero

Mitsubishi faced cultural challenges when marketing its SUV, the Pajero, in Spanish-speaking markets, where "Pajero" is offensive slang. To avoid reputational harm, Mitsubishi marketed the vehicle as Montero in Latin America and Shogun in the UK. This proactive adjustment demonstrates how cultural screening of brand names can prevent costly missteps and protect global reputation.

Legal Considerations

From an intellectual property perspective, localized branding must be managed carefully to avoid fragmenting rights or weakening brand identity. Key considerations include:

1. **Ownership and Control:** The adapted trademark must \ be registered and owned by the same rights holder to avoid dilution or third-party appropriation.

2. **Consistency in Trade Dress:** Maintaining consistent logos, colour schemes and other brand elements helps preserve consumer recognition across jurisdictions.

3. **Compliance with Local Law:** Language laws, consumer protection regulations and existing trademark registrations must be reviewed before market entry.

4. **Preservation of Global Portfolio Integrity:** A coordinated international trademark strategy should ensure that localized marks are integrated into the overall brand architecture, taking into account clearance searches, local morality considerations, and language nuances.

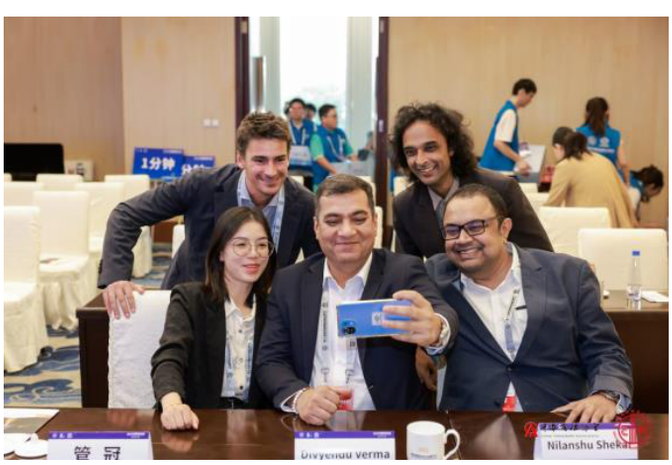
Conclusion

The case of PFK in Quebec illustrates how trademark adaptation can be a proactive compliance measure rather than a loss of rights. Similar strategies used by Burger King, Pepsi and Unilever show that localization can support IP protection while enabling market growth. Coca-Cola and Mitsubishi highlight the importance of cultural and linguistic due diligence to prevent consumer backlash. For companies seeking global expansion, localization should be approached as a strategic legal and marketing exercise, one that safeguards trademark rights while respecting local requirements and consumer expectations.

GLOBAL IP JOURNEYS: FROM TAIYUAN TO OSAKA – SEPTEMBER 2025

For Audiri Vox, the past three weeks in September 2025 marked a vibrant journey across Asia, with opportunities to engage in some of the most significant intellectual property (IP) conferences and connect with colleagues and partners across regions. Our Global Heads of Patents and Designs Department – Mr. Divyendu Verma had the great time in attending these conferences and meeting with friends and colleagues from across the world.

Taiyuan: China Trademark Festival (CTF) - September 5-8, 2025



The journey began in Taiyuan, where the China Trademark Festival (CTF) brought together trademark professionals, academics, industry representatives, and policymakers for three days of intensive discussions.

The Festival highlighted China's increasing role in global trademark law and practice. Key themes included the growing importance of brand protection in cross-border commerce, strategies for tackling counterfeiting in digital markets, and the evolving interplay between innovation and brand value.

Mr. Verma had the privilege of speaking on a panel on International Technology Transfer, where discussions centered on how IP frameworks can enable smoother and fairer flows of innovation across borders. The dialogue emphasized not only the legal mechanisms but also the practical challenges of negotiating technology licensing, ensuring equitable benefit-sharing, and aligning global IP standards.

Beyond the sessions, Taiyuan itself offered a serene and welcoming backdrop. The city's unique combination of historic charm and modern development made it an excellent setting for both professional engagement and personal reflection.

Beijing: CIPAC 2025 - September 11-12, 2025

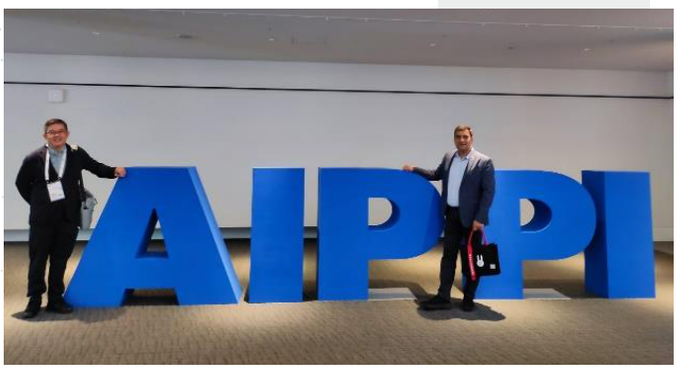
From Taiyuan, the journey continued to Beijing for the China Intellectual Property Annual Conference (CIPAC) - one of the region's most anticipated gatherings of IP professionals. This year's edition was particularly remarkable for its record attendance and the diversity of participants, ranging from government officials and in-house counsel to law firm practitioners and academics.

The sessions at CIPAC covered an expansive spectrum of topics. Key discussions included:

- The role of AI in reshaping IP creation and enforcement;
- The challenges of balancing innovation incentives with public interest; and
- Updates on China's IP reforms, especially in litigation and enforcement.

Mr. Verma was scheduled to participate in a high-profile AI Panel on the final day, which was expected to address pressing questions around authorship, inventorship, and accountability in the age of generative AI. Unfortunately, the panel had to be cancelled at the last minute - one co-panelist was urgently called to court, while another colleague had to leave early for meetings in Yokohama. While disappointing, this situation underscored the very real-world intersections between legal obligations and conference dialogues.

Yokohama: AIPPI Annual Congress 2025 - September 13-16, 2025



The next stop was Yokohama for the AIPPI Annual Congress 2025, one of the most influential gatherings in the global IP calendar. The Congress spanned four full days, bringing together international delegates, in-house counsel, practitioners, academics, and policymakers to deliberate on both the technical and policy dimensions of intellectual property.

Key sessions highlighted:

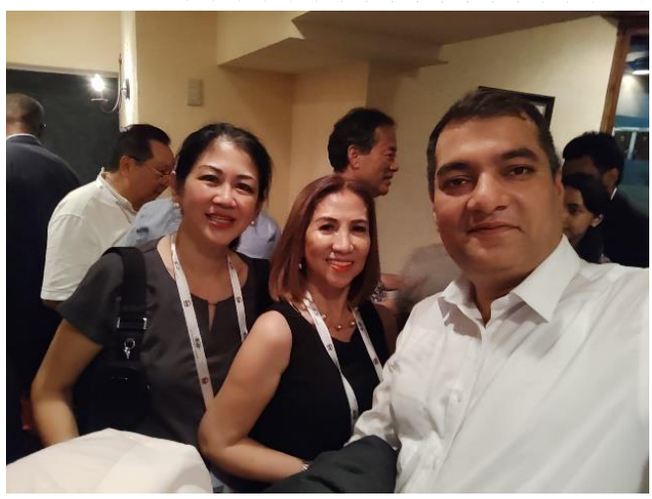
- The evolving balance between national IP policies and international harmonization;
- The future of design protection in the digital and AI-driven age;
- Developments in patent litigation and alternative dispute resolution mechanisms; and
- The growing relevance of sustainability and green technologies within IP frameworks.

Committee meetings provided fertile ground for shaping resolutions and policy recommendations that will influence IP lawmaking worldwide. These discussions reinforced the Congress's role as not only a networking hub but also a decision-shaping forum for global IP practice.

Of course, the Congress also lived up to its reputation for fostering personal connections. The informal gathering during the AIPPI congress once again buzzed with conversations that blurred the line between professional debate and personal camaraderie. Many of the most meaningful exchanges of the week happened in those informal moments, underscoring the value of face-to-face engagement in the IP community.

Yokohama itself provided a dynamic setting - its modern waterfront, combined with cultural richness, made for an inspiring backdrop to the Congress.

Osaka & Beyond:



The final leg took me to **Osaka**, with a brief stop in **Nagoya** for a game before arriving. In Osaka, I had the pleasure of visiting clients and reconnecting with colleagues from AIPPI over dinner and drinks. The city's warmth, combined with the professional engagements, provided a fitting conclusion to an action-packed three weeks.

Reflections:

From Taiyuan to Osaka, the journey highlighted the dynamism of today's IP landscape - where formal discussions in conference halls blend seamlessly with informal exchanges that spark collaboration. These experiences reinforced the value of face-to-face interactions in shaping the future of IP practice globally.

IP UPDATES

TANZANIA:
TANZANIA INTRODUCES MANDATORY TRADEMARK RECORDATION FOR IMPORTS

The Fair Competition Commission (FCC) of Tanzania has announced a new mandatory trademark recordation system for all goods imported into Mainland Tanzania. This system, introduced under Section 11A of the Merchandise Marks Act, 1963 (as amended) and the Merchandise Marks (Recordation) Regulations, 2025, will take effect from 1 December 2025.

Key Highlights of the New Regime

- From 1st December 2025, imported goods bearing unrecorded trademarks may be detained at the border, regardless of whether they are genuine or counterfeit.
- Recordation is a separate requirement from registration at the Industrial Property Office (BRELA).
- Applications for recordation must be filed with the Chief Inspector of Merchandise Marks using the prescribed Form FCC1.

Applications must include:

- Full applicant details and nationality/jurisdiction of incorporation;
- Place of manufacture of the goods;
- Sample or clear photograph of the trademarked goods;
- Details of licensees/affiliates authorized to use the trademark;
- Certified copy of the trademark registration certificate;
- Proof of payment of applicable fees.

Trademark owners are strongly advised to:

- Review their portfolios to identify marks used in Tanzania;
- Apply for registration of marks not yet registered with BRELA;
- File for recordation of all relevant trademarks well before the December deadline.

LEBANON:
SIMPLIFIED PROCEDURE FOR TRADEMARK ASSIGNMENT RECORDALS

The Ministry of Economy and Trade, Intellectual Property Protection Department, has announced a return to its previous practice regarding the recordal of transfers of ownership. Submission of the original trademark certificate is no longer required.

To proceed with an assignment recordal, only the following documents are now necessary:

- Power of Attorney (duly notarized and legalized by a Lebanese consulate);
- Deed of Assignment (signed by both parties, duly notarized, and legalized by a Lebanese consulate);
- Scanned copy of the certificate.

This change will be published in the upcoming issue of the official Lebanese Gazette.

QATAR:
TRADEMARK OFFICE ADOPTS 11TH EDITION OF THE NICE CLASSIFICATION

The Qatari Trademark Office has announced that, effective 15 September 2025, all trademark applications must comply with the 11th Edition of the Nice Classification for the specification of goods and services, in line with GCC Law No. 7 of 2014.

Key changes:

- Class headings or phrases such as “all goods/services in a class” are no longer permitted.
- Applicants must provide a detailed and specific list of goods and services using the 11th Edition terminology.
- This requirement applies to both new filings and applications under review.
- Applicants are advised to review their specifications promptly to ensure compliance and avoid delays.

BAHRAIN
BAHRAIN AND JAPAN LAUNCH PATENT PROSECUTION HIGHWAY (PPH) PROGRAM

The Ministry of Industry and Commerce of the Kingdom of Bahrain and the Japan Patent Office (JPO) have signed a Memorandum of Understanding (MoU) to implement the Patent Prosecution Highway (PPH) program. The MoU was signed during the official visit of His Royal Highness Prince Salman bin Hamad Al Khalifa, Crown Prince and Prime Minister, to Japan, marking a significant step in strengthening bilateral cooperation in the field of intellectual property.

H.E. Minister Abdullah bin Adel Fakhro emphasized Bahrain's commitment to advancing its patent and IP framework as part of broader efforts to drive sustainable economic growth and position the Kingdom as a regional leader in IP protection.

The PPH program will help accelerate patent examination, encourage innovation, attract high-quality investments, and support the development of a modern and efficient IP ecosystem in Bahrain.

PATENT CASE

UPL LIMITED (Petitioner) vs UNION OF INDIA & ORS. (Respondent)

CASE NO.: WPA-IPD No.3 of 2024 (Old No. WPA No.28887 of 2023)
DECIDED ON: 16th September, 2025

In the present petition, the petitioner challenges the impugned order passed by the respondent for rejecting the petitioner's patent application under the grounds of lack of novelty as per section 25(1)(b), lack of inventive step as per section 21(1)(e) and mere admixture and not an invention as per section 25(1)(f) of the Patents Act 1970.

The petitioner argued that the impugned order passed by the respondent violates the principle of natural justice. The petitioner further alleges that the respondent failed to consider the expert affidavit and relied on their own analysis. The petitioner also states that no separate hearing were conducted for the pre-grant opposition and the application upon examination, and a common impugned order was passed without providing an opportunity of separate hearing. The respondent contended that an expert opinion does not impact on the finding of the controller while analyzing the patent application. The respondent further states that the petitioner failed to provide suitable evidence and therefore cannot be patentable.

The Hon'ble Calcutta High Court analyzed the above matter and stated that the hearing on pre-grant opposition and application upon examination should have been conducted separately under section 25(1) and section 14. The Hon'ble Court stated that the objects raised in the First Examination Report and in Pre-grant Opposition were different, yet the respondent simultaneously decided the matter and passed the impugned order without providing an opportunity of a separate hearing to the petitioner. The Hon'ble Court further noted that the respondent also failed to consider the expert affidavit and the technical evidence submitted by the petitioner. The Hon'ble Court concluded by setting aside the impugned order and directing the Hearing officer to conduct two separate hearings and accordingly pass two separate reasoned orders under section 14 and 25 and also provide an opportunity of hearing to the petitioner.

STROMAG GMBH (Appellant) vs THE CONTROLLER GENERAL OF PATENTS DESIGNS AND TRADE MARK AND ANR (Respondent)

CASE NO.: IPDPTA/12/2025
DECIDED ON: 4th September, 2025

The appellant has filed an appeal against the respondent for rejecting the appellant's patent application under the grounds of lack of inventive steps. The appellant states that the respondent passed the impugned order by violating the principle of natural justice, the respondent failed to provide any reasons on how the cited prior arts are obvious or similar to the subject invention. the respondent contended that the impugned order deals with all the contentions in the First Examination Report.

The Hon'ble Calcutta High Court observed that the impugned order does not include any appropriate reasons for rejecting the subject invention obvious. The Hon'ble Court states that the impugned order is unsustainable. The Hon'ble Court concluded by setting aside the impugned order and remanding the matter back to the different Hearing Office to consider the subject application afresh.

ULTRAHUMAN HEALTHCARE PVT LTD (Plaintiff) vs OURA HEALTH OY & ANR. (Defendant)

CASE NO.: CS(COMM) 923/2025, I.A. 21403/2025, I.A. 21404/2025, I.A. 21405/2025, I.A. 21406/2025 & I.A. 21407/2025
DECIDED ON: 1st September, 2025

The present suit has been filed by the plaintiff restraining the defendants from infringing the plaintiff's Indian Patent No. IN 549915. The plaintiff alleged that the defendants are selling the impugned product 'OURA Ring 4' in India through e-commerce channels. The defendants' states that the plaintiff failed to submit or mention the Court order dated April 18, 2025 passed by United States International Trade Commission ('ITC'), in which the order confirmed on August 21, 2025 concluded that the plaintiff's product infringes claims of the Defendants '178 patent. The plaintiff countered that they filed the present suit on August 21, 2025 with the registry therefore the order dated August 21, 2025 could not be placed on record due to subsequent availability.

The Hon'ble Delhi High Court observed the matter and stated that the plaintiff's failure to disclose the material fact/document cannot be accepted and the plaintiff's argument on the same is unpersuasive. The Hon'ble Court further states that *"The non-filing of these documents is in disregard of the obligations stipulated in the provisions of CPC as applicable to commercial suits."* The Hon'ble Court concluded by dismissing the present suit for non-filing of the orders dated April 18, 2025 and August 21, 2025 and advised Plaintiff to file a fresh suit along with full disclosure of the suppressed orders.

BOEHRINGER INGELHEIM INTERNATIONAL GMBH & ANR. (Plaintiff) vs FEMILAB HEALTHCARE & ANR. (Defendants)

CASE NO.: OMP No.1085 of 2024 in COMS No.24 of 2024

DECIDED ON: 29th August, 2025

In the present case the plaintiff submitted that the interim granted to them should be allowed to continue even after the expiry of their patent term on March 11, 2025 in order to protect their patent from infringement. On December 20204, the Court granted an interim injunction restraining the defendants from infringing the plaintiff's patent.

The Hon'ble High Court of Himachal Pradesh stated the interim order that was passed in favour of the plaintiff cannot be operated after the expiry of the patent. The Court further stated that the interim relief is granted to the patent holder to ensure that their patent is protected during the life span of the patent i.e., for 20 years from the date of application and once the patent expires the interim cannot be further allowed to continue. The Hon'ble Court concluded by disposing the application and vacating the granted interim protection.

NATURAL MEDICINE INSTITUTE OF ZHEJIANG YANGSHENGTANG CO. LTD. (Appellant) vs 1. THE DEPUTY CONTROLLER OF PATENTS AND DESIGNS AND 2. THE CONTROLLER OF PATENTS (Respondents)

CASE NO.: (T)CMA (PT) No.171 of 2023

DECIDED ON: 12th August, 2025

The appellant has filed an appeal against the respondents challenging the impugned order rejecting the appellant's patent application. The appellant states that they had shared two sets of claims by email to the respondent which was accepted by them. The appellant further states that the subject invention was granted in multiple jurisdictions, yet the same claims were rejected here. The appellant contended that the impugned order failed to provide any reasons for rejecting the amended claims. The respondent countered that the claims were amended beyond the scope of the complete specification including the originally filed claims and the claims filed by the appellant were different from the claims approved by the respondent. the appellant had combined the two sets of claims accepted by the respondent and filed it along with the written submission.

The Hon'ble Madras High Court observed that the impugned order was passed on the basis that the approved claims did not match with the claims submitted by the appellant. Additionally, the Hon'ble Court states that the impugned order cannot be sustained due to the absence of any strong reason to support the given conclusion in the impugned order. The Hon'ble Court concluded by setting aside the impugned order and remanding the matter for reconsideration by a different officer.

TRADEMARK CASES

EXOTIC MILE (Appellant) vs IMAGINE MARKETING PVT LTD (Respondent)

CASE NO.: FAO(OS) (COMM) 20/2020, CM APPLs. 61732/2024, 61733/2024, 17866/2025 & 27609/2025

DECIDED ON: 15th September, 2025

In the present suit the appellant have appealed against the impunged order by the single judge of Hon'ble Delhi High Court. The respondent filed suit against appellant alleging passing off and deceptive similarity between " and " marks, logos, and taglines

Respondent claimed prior use and reputation and argued that the mark have phonetic and visual similarity (**BOAT** vs. **BOULT**), similar logos, and deceptive tagline ***"UNPLUG YOURSELF"*** similar to ***"PLUG INTO*** **NIRVANA"**. Appellant denied similarity and argued that the mark **BOULT** was coined independently, highlighting differences in logos/taglines, and claimed honest adoption and extensive market presence.

The Hon'ble Division Bench of Delhi High Court noted that the Single Judge wrongly granted injunction on the tagline **"UNPLUG YOURSELF"** without such a prayer. However, it upheld the injunction against use of appellant's contested marks/logos due to phonetic and visual similarity creating likelihood of confusion. On **GOBOULT**, the Hon'ble Court clarified there was no injunction since it was not challenge before the learned Single Judge. The Hon'ble Court partly allowed the appeal quashing the injunction on the tagline but maintaining injunction against appellant contested marks.

WOW MOMO FOODS PRIVATE LIMITED (Plaintiff) vs WOW BURGER & ANR. (Defendants)

CASE NO.: CS(COMM) 1161/2024 & I.A. 48983-48984/2024
DECIDED ON: 12th September, 2025

'WOW! momo', 'WOW BURGER', 'WOW! momo INSTANT' vs 'WOW BURGER'/ 'WOW BURGER',

In the present suit the Plaintiff filed suit against **WOW BURGER** for infringing its trademark by using the term **"WOW"** for identical food services. Plaintiff sought to protect its **"WOW!"** series of marks (**like WOW! MOMO, WOW! CHINA**)

Plaintiff claimed that they had coined **"WOW!"** in 2008, built strong goodwill, and obtained trademark registrations for several **"WOW!"** formative marks and also argued that **"WOW Burger"** was deceptively similar and would confuse consumers. The defendants did not appear or contest despite being served multiple notice.

The Hon'ble Delhi High Court held that **"WOW"** is a common English exclamation, laudatory in nature, and incapable of being monopolized. Plaintiff had no standalone registration for **"WOW"** or **"WOW Burger,"** only for composite marks like **"WOW! MOMO."** The Hon'ble Court stressed that generic/descriptive words cannot be claimed exclusively unless proven to have acquired distinctiveness. The Hon'ble Court refused interim injunction in favour of the plaintiff and held that **WOW MOMO** could not restrain others from using **"WOW"** in isolation, as it was not distinctive enough to merit monopoly.

GAURAV SINGHAL (Plaintiff) vs JATIN JAIN (Defendant)

CASE NO.: CS(COMM) 927/2025
DECIDED ON: 01st September, 2025

The present suit was filed by plaintiff against defendant for manufacturing & selling counterfeit products under identical mark **SPARK INDIA** with deceptively similar packaging, causing confusion and loss of reputation.

Plaintiff argued that they are the proprietor of registered copyright in trade dress/packaging. Defendant have copied packaging and deceiving even dealers and have done repeated infringement despite earlier assurance.

The Hon'ble Delhi High Court found Defendant's packaging to be a *"slavish imitation"* of Plaintiff's trade dress. *Prima facie* infringement and passing off established and noted that irreparable harm will caused if injunction denied. The Hon'ble Delhi High Court restrained defendant from manufacturing/selling products under **'SPARK INDIA'** or deceptively similar packaging and granted *injunction* in favour of Plaintiff.

COPYRIGHT CASES

JIOSTAR INDIA PRIVATE LIMITED (Plaintiff) vs VEGAMOVIES.YACHTS & ORS. (Defendants)

CASE NO.: CS(COMM) 977/2025
DECIDED ON: 12th September, 2025

The present suite was filed to restrain defendants from unauthorized streaming, downloading, and communication of ***Jolly LLB 3*** ahead of its theatrical release (19.09.2025), which would cause irreparable financial and copyright loss.

The plaintiff asserted exclusive worldwide distribution rights over the film and contended that any online leak would result in substantial financial losses. The defendants, however, opposed the request for real-time blocking orders, arguing that such relief was unwarranted since the film did not constitute a live event.

The Hon'ble Delhi High Court held that piracy websites pose a recurring and significant threat to copyright.

Recognized need for "Dynamic+ injunction" covering not only current but also future rogue websites identified during the proceedings. Futher said that swift blocking is necessary to protect investment and rights. Plaintiff given liberty to notify new rogue websites for immediate blocking. The Hon'ble Delhi High Court granted *Injunction* in favour of Plaintiff.

ASHIM GHOSH (Plaintiff) vs M/S MADRAT GAMES PVT. LTD. (Defendant)

CASE NO.: CS No. 31/2021

DECIDED ON: 11th September, 2025

In the present suit the Plaintiff a multimedia artist and inventor, sued defendant under the Copyright Act, alleging that their board game **"AKSHARIT"** was an unauthorized adaptation and infringement of his Hindi word board game series **"SHABDKOSHISH I, II, III"**

Plaintiff claimed originality and copyright ownership on his board game series and sought injunction, damages, as well as delivery-up of infringing goods. Defendant denied infringement, claimed **AKSHARIT** was independently created with innovations to make Hindi word games playable, and argued that plaintiff's game lacked originality as it was itself an adaptation of Scrabble.

The Hon'ble District Court analyzed whether **AKSHARIT** was an adaptation of **SHABDKOSHISH**. The Hon'ble Court examined the originality of plaintiff's work and defendant's innovations (such as transparent tiles, modified board design, and diacritic handling). The Hon'ble Court emphasis that mere similarity in concept does not amount to infringement unless substantial copying of expression is proven. The Hon'ble Court dismissed the plaintiff's claim of copyright infringement, holding that **AKSHARIT** was an original, independently developed game. The injunction and damages were refused, and the suit was decided in favour of the defendant.

ABHISHEK BACHCHAN (Plaintiff) vs THE BOLLYWOOD TEE SHOP & ORS. (Defendants)

CASE NO.: CS(COMM) 960/2025

DECIDED ON: 10th September, 2025

https://www.livehindustan.com/

In the present suit the plaintiff filed a suit against defendants alleging unauthorized commercial exploitation of his personality rights through T-shirts, mugs, posters, wallpapers, and even AI-generated videos depicting him in inappropriate ways

Plaintiff claimed infringement of his trademarks, copyright, publicity/personality rights, and passing off. Emphasized that his name, image, and persona have immense goodwill and commercial value, and their misuse causes deception and reputational harm. Defendants argued they were only intermediaries/platforms (like Google/YouTube), not directly responsible for content.

The Hon'ble Delhi High Court noted that unauthorized use of a celebrity's persona especially for merchandise, AI-generated content, or explicit depictions violates their publicity rights. The Hon'ble Court relied on earlier precedents (like *Anil Kapoor v. Simply Life India*) to stress that fame cannot be exploited without consent and that AI misuse poses a serious reputational risk. The Hon'ble Court restrained the defendants from selling or publishing infringing products and content using plaintiff's name, image, or persona without authorization, including John Doe defendants operating anonymously.

AISHWARYA RAI BACHCHAN (Plaintiff) vs AISHWARYAWORLD.COM & ORS. (Defendants)

CASE NO.: CS(COMM) 956/2025

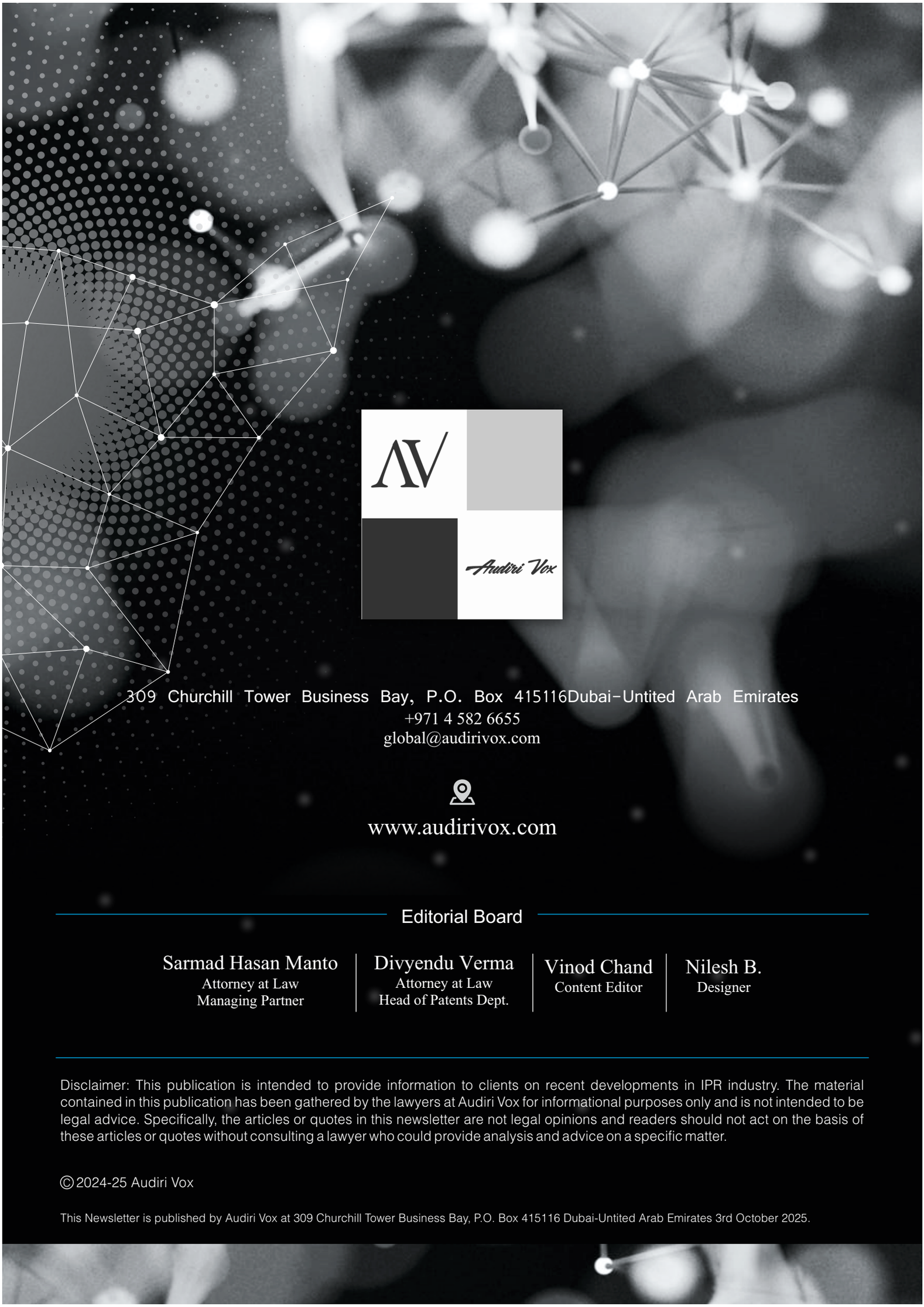
DECIDED ON: 09th September, 2025

https://www.livehindustan.com/

In the present suit the Plaintiff sued the defendant an organization misusing her name. The complaint was for false impersonation, selling products using her name/photos, AI chatbots impersonating her, and deepfake videos portraying her in obscene and misleading contexts.

Plaintiff stated her global reputation as a celebrated actor and brand ambassador and argued that unauthorized use of her image, voice, or likeness causes deception, violates her publicity rights, and tarnishes her dignity. Defendants contended they were intermediaries and not the creators of infringing content.

The Hon'ble Delhi High Court found that the misuse of her identity especially through fake websites, fraudulent organizations, and sexually explicit AI content amounted to serious violations of her publicity rights, passing off, and unfair competition. Such acts harm goodwill and public trust. The Hon'ble Court granted injunction restraining defendants from hosting, selling, or circulating any unauthorized content or merchandise using her name, image, likeness, or persona, including deepfake and chatbot impersonations.



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