



**AUDIRI VOX**

*a client-centric ip practice*

MIDDLE EAST – ASIA – AFRICA

# AVIP

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## THE FUTURE OF INTELLECTUAL PROPERTY LAW AND WHY IT IS MORE IMPORTANT THAN EVER



**Sanuji Munasinghe**

Attorney at Law  
AUDIRI VOX

In today's world of a global economy that is increasingly knowledge-driven, intellectual property (IP) has become the asset that is considered most valuable, regardless of whether it is an individual or a business. The focus on IP is merely not on the premise of its legal concerns and requirements, but also as a key factor that drives towards sustainable development and international relevance. Everywhere in the world, IP represents human creativity and innovative elements that now underpin global competitiveness and economic growth.

Without protection, there would be no reason to be creative and the expansion of knowledge will dry up over a period of time.

### The Changing Global IP Landscape

Due to the increasing technological advancements and the borderless nature of information exchange the IP landscape is now evolving faster than ever, requiring consistent monitoring and awareness, than ever before. Artificial intelligence (AI), biotechnology, big data, 3D printing, and digital media are redefining how ideas are created and shared. These developments often run into conflict or challenging the existing IP frameworks especially around authorship and territorial protection.

In today's context given the extreme levels of access and exposure, copying an idea is now easier than ever before as creators try to spread their ideas via social media. Those on the constant prowl of emulating easily pick up the ideas

and then profit from the creativity of someone else.

Nations that modernize their IP laws and enforcement mechanisms are better equipped to attract investment, encourage innovation, and compete in the global marketplace. In such a global space, Sri Lanka too should work through to ensure that we do not lag behind.

### The Sri Lankan Legal System

Sri Lanka's IP system which is governed by the Intellectual Property Act No. 36 of 2003, provides comprehensive protection for copyrights, trademarks, industrial designs, and patents. The National Intellectual Property Office (NIPO) serves as the central authority for registration and enforcement. Despite having a solid legal foundation, the practical effectiveness of the system faces several challenges in the context of discussion, simply as it is ever evolving and thus poses challenges which were not existent at the point of formulating this legal framework.

As emphasized in a previous article, awareness of the law and its implications with regard to IP related matters is still one of the core issues that is faced in the country.

Many small and medium-sized enterprises (SMEs), local artisans, and tech startups are unaware of how to protect their intellectual creations or use IP strategically to gain market advantage.

Right behind this is the issue faced with enforcement mechanisms. The presently available mechanisms are slow and sometimes ineffective. Counterfeit goods, software piracy, and brand infringements continue to thrive, partly due to limited coordination among enforcement agencies and resource constraints. And this gives the opportunity for an offender to almost always be two steps ahead of the enforcement agencies.

In addition to the above, the system lacks sufficient adaptation to digital and emerging technologies. These could involve issues related to AI-generated works, online content creation, and data ownership.

Modernizing the IP ecosystem is not simply about legislative reform it also requires education, digital infrastructure, and stronger collaboration between public and private sectors to ensure that what is available in terms of rights and protection is known and is practically enforceable.



## WHY IP LAW IS MORE IMPORTANT THAN EVER

### Innovation and Economic Growth

The foundation of a modern economy lies in its ability to innovate. Without innovations there would be little chance of surviving and adapting to the ever-changing global seasons. In order to stay ahead and to receive the advantages of a global economy, a nation must thrive to be equipped with the best of the latest - technological advancements and the legal background to secure them.

IP protection encourages creativity by giving inventors and creators exclusive rights and recognition for their work. In Sri Lanka, sectors such as IT, agriculture, renewable energy, and biotechnology hold enormous potential for innovation. Proper IP protection can help these sectors thrive by ensuring that innovators receive fair compensation and that local businesses can compete internationally.

Moreover, Sri Lanka's growing tech startup ecosystem can benefit immensely from robust IP protection. Startups rely heavily on intangible assets software, designs, and brand identity. As shown in a previous article, if these assets are not safeguarded, it undermines investor confidence and discourages entrepreneurship.

### Cultural and Creative Industries

Sri Lanka has a rich cultural heritage and a vibrant creative community. From handicrafts and traditional art to contemporary fashion, music, and cinema, creative industries are vital both culturally and economically. Strengthening copyright enforcement and awareness paves the way for all artists and creators to have the confidence that their works will be protected and thus can earn livelihoods from their work while protecting Sri Lankan culture from misappropriation.

*The rise of digital streaming, online publishing, and social media has created both opportunities and risks for creative professionals. A forward-looking IP framework can balance accessibility with protection, ensuring that creators' rights are respected in the digital domain, which often times is not monitored and the opportunity for misappropriation and breaches are far easier and more common.*

### Foreign Investment and Trade

Strong IP protection is a prerequisite for attracting foreign direct investment (FDI) and participating in international trade agreements. Investors seek jurisdictions where their innovations and brand identities are secure. Sri Lanka's goal of becoming a regional hub for innovation and digital trade depends significantly on aligning its IP regime with global standards. Joining more international systems would make it easier for Sri Lankan businesses to protect their brands abroad while simplifying access for foreign investors.

### The Digital Economy

As Sri Lanka transitions towards a digital economy, issues surrounding online content, data protection, and digital assets are becoming central to IP law. The rise of social media influencers, e-commerce, and content creation means that copyright and trademark disputes increasingly occur in digital spaces. Integrating technology into IP administration would enhance transparency, reduce delays, and foster public confidence in the system.

In a rapidly transforming world, where ideas cross borders faster than goods, Sri Lanka must prioritize strengthening its IP regime. Doing so will not only protect the nation's creativity and ingenuity but also empower future generations to innovate with confidence.

The next decade presents a decisive opportunity to move from being a consumer of ideas to a creator and exporter of innovation anchored in a modern, dynamic, and future-ready intellectual property framework.



## QATAR LAUNCHES INDUSTRIAL DESIGN REGISTRATION



**Divyendu Verma**

Global Head of Patents/Designs Dept.  
AUDIRI VOX

Qatar has officially begun accepting applications for industrial design registration as of 26 October 2025. This marks a key milestone for intellectual property protection in the country's modern legal framework.



### Background: Delayed Implementation

While Qatar's Industrial Designs Law was enacted in 2020, practical registration was not available until now. The delay stemmed from the absence of essential implementing regulations. These rules, which detail how applications are processed and enforced, are crucial for moving any IP law from paper to practice. Until October 2025, the Ministry of Commerce and Industry and its Industrial Property Protection Office were unable to open or manage a proper design registry. In this period, design owners could only publish cautionary notices or rely on copyright law, which

did not provide full legal protection or enforceable industrial design rights.

The new registration system also reflects Qatar's broader push for legal modernization and alignment with international standards, supporting its ambitions for economic diversification.

### How to File Industrial Design Applications in Qatar

With the new system in place, design owners can follow a clear application process:

- **Eligibility:** Both residents and non-residents (through a local attorney) may file applications.
- **Submission:** File with the Industrial Property Protection Office, including required documents and fees as specified in the implementing rules.
- **Publication & Opposition:** Accepted applications are published for public inspection. Any third party may oppose registration within 60 days.
- **Examination:** Designs must be novel and original. The regulations clarify that applications will be examined according to substantive and formal requirements.
- **Duration:** Exclusive design rights are granted for five years, renewable for up to two further five-year periods.
- **Restrictions:** Certain designs - those that are purely functional, violate public morals, or resemble official symbols - cannot be registered.
- **Representation:** Non-resident applicants must use a local Qatari agent with a duly legalized power of attorney.

### Concluding Remark:

The launch of industrial design registration in Qatar establishes a comprehensive and enforceable framework, giving businesses and creators confidence in the country's commitment to intellectual property protection. This step brings Qatar in line with international practice and expands options for effective legal protection of design innovation.





## AUDIRI VOX AT INTA–URSB TRAINING OF EXAMINERS IN EMERGING TRENDS IN IP

Audiri Vox is pleased to share that **Mr. Divyendu Verma**, Head of Global Patents, conducted a session on “*Examination of Industrial Designs: Assessing Ornamentality, Novelty, and Non-Obviousness*” at the Training of Examiners in Emerging Trends in IP, organized by the **International Trademark Association (INTA)** in collaboration with the **Uganda Registration Services Bureau (URSB)**.

Held on 2 October 2025 at Four Points by Sheraton, Kampala, Uganda, the hybrid-format session brought together IP examiners and professionals from across the region. Mr. Verma's session focused on the critical aspects of industrial design examination—emphasizing accuracy, innovation, and the evolving standards of design protection.

As industrial designs continue to drive innovation and brand distinction, the ability to assess their protectability has become increasingly vital. This engagement underscores Audiri Vox's expertise and active contribution to advancing examination practices and strengthening the global IP ecosystem.

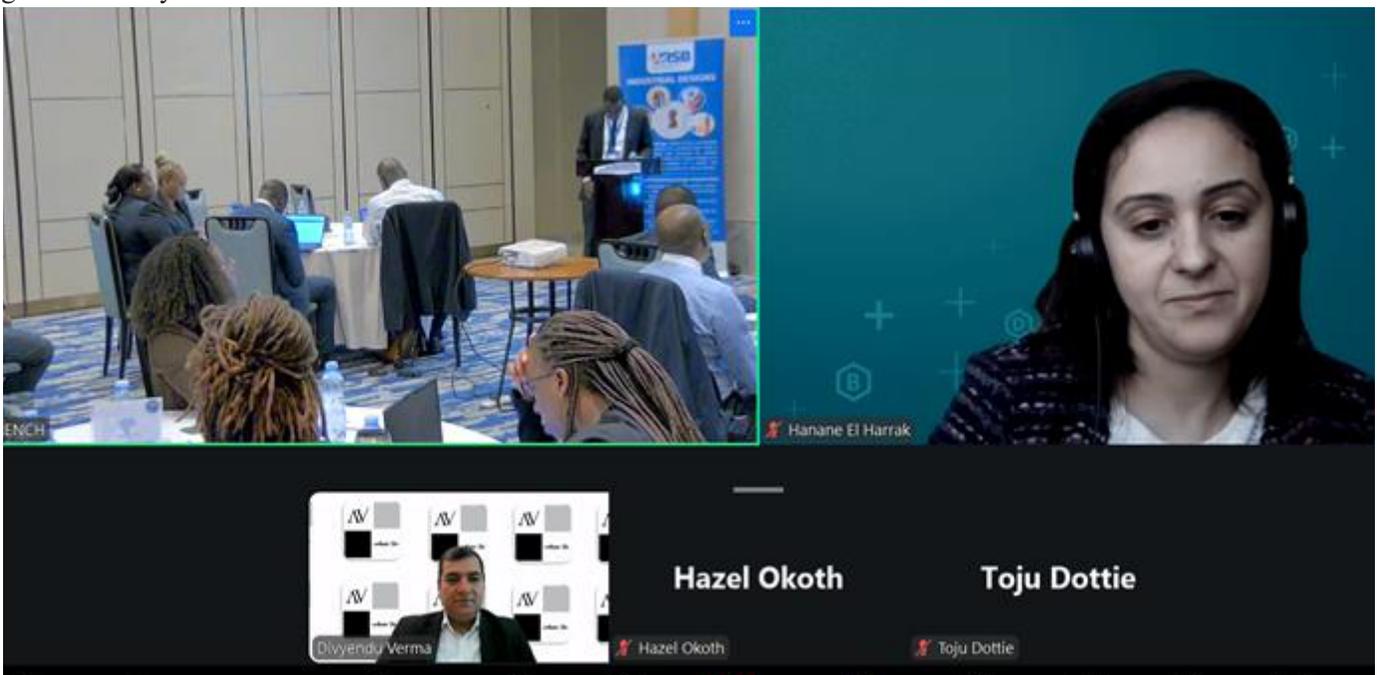
Excited to announce that **MR. DIVYENDU VERMA** will be conducting a session at the **TRAINING OF EXAMINERS IN EMERGING TRENDS IN IP**

**2ND  
OCTOBER 2025**  
10:30 AM – 11:30 AM  
(East Africa Time)

**ORGANIZED  
BY INTA IN  
COLLABORATION  
WITH URSB**

**SESSION TOPIC:**  
Examination of Industrial Designs: Assessing Ornamentality, Novelty and Non-Obviousness

📍 Four Points by Sheraton, Kampala, Uganda (Hybrid format)



## CELEBRATING EXCELLENCE: THE LEGAL 500 GC POWERLIST MIDDLE EAST 2025 IN ASSOCIATION WITH AUDIRI VOX

Audiri Vox is pleased to collaborate with The Legal 500 for this year's GC Powerlist: Middle East 2025, held on 15 October 2025 at the Grapeskin Courtyard, Dubai. The prestigious event celebrated the region's most accomplished in-house legal teams and General Counsel, recognizing their outstanding contributions to corporate governance, compliance, and ethical business practices.

The evening brought together leading legal professionals, corporate counsel, and industry experts from across the Middle East, fostering meaningful discussions on innovation, leadership, and the evolving role of legal teams in shaping business strategies.

The event highlighted the vital role of in-house legal departments in driving regulatory integrity, ensuring sound governance, and serving as strategic partners in their organizations' growth and transformation. As the Middle East continues to emerge as a global business and investment hub, the contributions of these professionals have become more essential than ever.

Events like the GC Powerlist reaffirm the strength, diversity, and collaborative spirit of the regional legal fraternity. Audiri Vox is honoured to support a platform that recognizes and celebrates excellence within the in-house legal community.

Audiri Vox extends its warm congratulations to all the finalists and winners of the GC Powerlist Middle East 2025 for setting new benchmarks of professionalism, innovation, and integrity in the legal industry.



## IP UPDATES

### TANZANIA: TANZANIA COURT CLARIFIES NON-RECOGNITION OF ARIPO TRADEMARKS



A recent and noteworthy ruling by the Court of Appeal of Tanzania in *Lakairo Industries Group Co. Ltd & Others v. Kenafrika Industries Ltd & Others (Civil Appeal No. 593 of 2022)*, delivered on 26 September 2025.

The Court reaffirmed a key legal position — trademarks registered under the ARIPO system (Banjul Protocol) designating Tanzania are not legally recognised or enforceable within the country.

This stems from the fact that Tanzania has not ratified the Banjul Protocol on Marks. Consequently, ARIPO trademark registrations that designate Tanzania have no legal effect in the jurisdiction. The only valid and enforceable means of securing trademark protection in Tanzania remains direct national registration with BRELA.

What this means for rights holders:

- ARIPO registrations designating Tanzania do not confer legal protection in the Tanzanian market.
- To ensure your brand is protected, trademarks must be filed and registered directly in Tanzania until such time as the country ratifies the Banjul Protocol on Marks.

### MANDATORY TRADEMARK RECORDALS

The Fair Competition Commission (FCC) of Tanzania has announced the introduction of a mandatory trademark recordal programme, set to take effect in December 2025. This initiative aims to strengthen IP enforcement and enhance anti-counterfeiting measures in the Tanzanian market. Trademark owners will be required to record their registered marks with the FCC to ensure their enforceability during customs inspections and infringement actions. Businesses are encouraged to review their trademark portfolios and prepare for timely compliance once implementation guidelines are released.

### INDIA: NEW MANDATORY SEARCH DECLARATION IN INDIAN TRADEMARK FILINGS



The Indian IP portal has introduced a new requirement in the online trademark filing process. Applicants are now required to declare whether a trademark search has been conducted prior to filing the application.

This update aims to encourage due diligence and reduce the number of conflicting applications filed without prior clearance. While the declaration does not make searches mandatory, it reinforces the importance of conducting a comprehensive trademark search to assess potential conflicts and ensure smoother prosecution before the Registry.

### 13TH EDITION OF THE NICE CLASSIFICATION (NCL 13–2026)

The 13th edition of the Nice Classification, effective January 1, 2026, introduces several reclassifications of goods and services to simplify and align the trademark registration process globally. The updated edition shifts certain items to new classes based on their functionality and industry relevance for instance, eyewear moves from Class 9 to 10, electrically heated clothing from 11 to 25, and emergency vehicles from 9 to 12.

Applications filed before January 1, 2026 will continue to be examined under the 12th edition, but trademark owners are advised to review and update their specifications to avoid protection gaps or ambiguity arising from reclassification.

It is anticipated that the Indian Trade Marks Registry will issue guidance and allow amendment requests for affected applications, ensuring smooth implementation of the revised classification system.

### QATAR: REVISED TRADEMARK FEES UNDER THE MADRID PROTOCOL EFFECTIVE NOVEMBER 9, 2025



The World Intellectual Property Organization (WIPO) has announced a revision to the individual fees for designating Qatar under the Madrid Protocol, effective November 9, 2025, in accordance with Rule 35(2)(d) of the Regulations.



Under the revised fee structure, the individual fee per class for Qatar will decrease as follows:

- International Application or Subsequent Designation: from **1,127 CHF (approx. 1,409 USD)** to **984 CHF (approx. 1,230 USD)**.
- Renewal of International Registration: from **876 CHF (approx. 1,095 USD)** to **765 CHF (approx. 956 USD)**.

These revised amounts will apply to all international applications and subsequent designations designating Qatar that are received on or after November 9, 2025. The reduced fees reflect Qatar's continued efforts to streamline trademark protection and facilitate international brand registration through the Madrid System.

### COMMENCEMENT OF PUBLICATION FOR INTERNATIONAL REGISTRATIONS

The Ministry of Commerce and Industry (MOCI) in Qatar has begun publishing international trademark registrations designating Qatar under the Madrid Protocol in its official Trademark Gazette, effective 1 October 2025. The first bulletin marks the start of the 60-day opposition period provided under Qatari Trademark Law. Brand owners are advised to closely monitor publications to identify potentially conflicting marks and file oppositions, if necessary, within the prescribed deadline.

#### EGYPT: COMPREHENSIVE REVISION OF OFFICIAL IP FEES



The Egyptian Intellectual Property Authority (EGIPA) has enacted an across-the-board revision of its official fees for various IP services, effective 14 October 2025. The amendments, introduced under

Decisions No. 138, 140, and 141 of 2025, impact fees related to Patents, Utility Models, Plant Varieties, and Copyrights. The revision introduces new charges for a broader range of services and increases existing official fees. Applicants and IP holders are encouraged to review the new fee schedules to ensure accurate budgeting for pending and future filings.

#### UNITED ARAB EMIRATES: REVISED TRADEMARK FEE STRUCTURE AND INTRODUCTION OF NEW SERVICES



Through Cabinet Resolution No. (102) of 2025, published in the Official Gazette on 30 September 2025, the UAE has

implemented a comprehensive revision of its trademark fee structure, effective 29 November 2025. The Resolution introduces significant reforms, including a 50% fee reduction for registered Small and Medium Enterprises (SMEs) and a full exemption for People of Determination. Notable procedural enhancements include One-Day Trademark Examination, Temporary Protection for marks at exhibitions, and the conversion of national filings into international applications under the Madrid Protocol. Applicants should account for these changes in future filings and renewal plans to benefit from the reduced fees and newly available services.

### REVISION OF INDIVIDUAL FEES UNDER THE MADRID PROTOCOL

Effective 2 November 2025, the World Intellectual Property Organization (WIPO) has announced revised individual fees for designating the United Arab Emirates (UAE) under the Madrid Protocol. The new fee per class, applicable to international applications, subsequent designations, and renewals, is set at **1,420 CHF (approx. USD 1,773)**, replacing the previous rate of **1,630 CHF (approx. USD 2,035)**. The revised fees apply to all applications received by WIPO or the Office of origin on or after the effective date.

#### OMAN: ESTABLISHMENT OF INVESTMENT AND COMMERCE COURT & IP FEE REFUND POLICY



Oman has implemented a key judicial reform with the establishment of the Court of Investment and Commerce under Royal Decree No. 35/2025, which came into effect on

October 1, 2025. Operating under the Supreme Judicial Council and headquartered in Muscat, the new court is vested with jurisdiction over a broad range of commercial and intellectual property disputes, including matters relating to patents, trademarks, industrial designs, trade secrets, competition, and foreign investment.

All cases filed before October 1, 2025, that fall within the new court's jurisdiction will continue to be heard by the courts where they were originally filed.

Separately, the Ministry of Commerce, Industry, and Investment Promotion has introduced a change in policy—effective August 28, 2025, the Trademarks Office (TMO) will no longer accept refund requests for publication or registration fees. Although no formal circular has been issued, applicants are reminded that acceptance of the Ministry's terms and conditions

includes acknowledgment that fees are non-refundable, even in cases of withdrawal or refusal of trademark applications.

These developments mark an important step in strengthening Oman's commercial and intellectual property landscape, enhancing efficiency and legal clarity for investors and rights holders.

**MALDIVES:  
ESTABLISHMENT OF THE MALDIVES  
INTELLECTUAL PROPERTY OFFICE (MIPO)**



The Government of Maldives has formally established the Maldives Intellectual Property Office (MIPO) under the Ministry of Economic Development, following publication of the Maldives Intellectual Property Office Regulation 2025 in the Official Gazette on 21 August 2025. The Regulation took effect on the same date, with the new IP registration system expected to become operational by 1 January 2026.

MIPO will oversee the registration and enforcement of trademarks, patents, industrial designs, and copyrights. Until the system becomes active, Cautionary Notices remain the only mechanism to assert trademark ownership. Brand owners are encouraged to prepare documentation including trademark representations, applicant details, class specifications, and powers of attorney in anticipation of the upcoming implementation

**NEPAL:  
SUSPENSION OF EVIDENCE OF USE REQUIREMENT**



The Department of Industry (DOI) of Nepal has suspended its general notice dated 19 August 2025, which required trademark owners to submit evidence of use for all registered trademarks. The suspension, announced on 24 September 2025, follows civil unrest that disrupted administrative operations.

While the requirement is on hold, trademark owners may voluntarily file use evidence such as invoices, packaging, or promotional material to strengthen their registrations and mitigate non-use cancellation risks under the Patent, Design and Trademark Act, 1965. Further updates will be issued once the DOI resumes full implementation of the notice.

**IPO OFFICE RESUMES FULL OPERATIONS**

The Department of Industry (DOI) in Nepal has resumed full operations and is now accepting the filing of all Intellectual Property applications, including Trademarks, Patents, and Industrial Designs. The DOI has confirmed that it is actively processing both pending matters and new filings that were suspended during the period of closure, signalling a return to normalcy in Nepal's IP administration and improved accessibility for rights holders.

**YEMEN (ADEN):  
DECLARATION REQUIREMENT FOR  
CLASS 05 TRADEMARKS**



The Trademark Office in Aden, Yemen has introduced a new mandatory requirement for all trademark applications filed under Class 05 (Pharmaceuticals and Medical Supplies). Applications in this class will now be processed only if accompanied by a declaration stating that the mark is being registered solely for protection purposes and will not be used within Yemen. This declaration, prepared by the Legal Department of the Ministry of Industry and Trade in Aden, is subject to an official fee of **YR 30,000 (approx. USD 30)**. It serves purely as a procedural requirement for registration, as actual use of pharmaceuticals or medical supplies within Yemen continues to require a license from the Supreme Authority for Medicines and Medical Supplies.

Previously, the Trademark Office had shown flexibility in accepting Class 05 applications without full compliance, but it is now strictly enforcing this rule for all new filings. Applicants are advised to ensure full adherence to the updated requirements to avoid processing delays.

**KUWAIT:  
RELOCATION OF THE TRADEMARKS DEPARTMENT**



The Trademarks Department of the Ministry of Commerce and Industry (MOCI) in Kuwait is relocating its operations to a new premises in the Ishbiliya area, effective 12 October 2025. Applicants should update their correspondence and plan future filings accordingly to avoid administrative disruptions during the transition.

**KENYA:  
OPERATIONAL STATUS OF THE KENYA  
INDUSTRIAL PROPERTY INSTITUTE (KIPI)**



The Kenya Industrial Property Institute (KIPI) has resumed full operations and is accepting new applications for trademarks, patents, and industrial designs. However, minor delays may persist due to a recent directive from the Ministry of Investments, Trade and Industry (dated 30 September 2025) requiring express Board approval for registration, renewal, and revocation actions. Applicants are advised to allow additional processing time while the administrative backlog is being resolved.

**BANGLADESH:  
DPDT LAUNCHES FULLY AUTOMATED  
IPAS4 ONLINE PLATFORM**



In a major step toward modernization, the Department of Patents, Designs and Trademarks (DPDT) of Bangladesh launched its fully automated IPAS4 online platform in July 2025, under the WIPO Industrial Property Automation System. This upgrade marks a transformative shift to end-to-end digital processing for trademark filing and examination.

The new system has significantly reduced processing timelines—from the previous 12–24 months to just a few weeks in many cases. For example, a trademark filed on 18 August 2025 was examined and approved by 18 September and published by 28 September, showcasing the platform's efficiency.

**Key advantages for brand owners and investors include:**

- Accelerated trademark registration and market entry
- Real-time tracking and automated deadline alerts
- Earlier enforcement opportunities
- Greater transparency and predictability
- Strengthened investor confidence and global competitiveness

This milestone firmly establishes Bangladesh as an emerging leader in IP modernization and brand protection efficiency.

**BAHRAIN:  
MOU WITH JAPAN FOR PATENT PROSECUTION  
HIGHWAY (PPH) PROGRAM**



The Kingdom of Bahrain and Japan have signed a Memorandum of Understanding (MoU) to establish a bilateral Patent Prosecution Highway (PPH) program, effective 1 January 2026. The PPH will allow patent applicants to fast-track examination in one country based on a favourable result in the other, reducing duplication and improving examination efficiency. This initiative aligns with Bahrain's broader commitment to fostering innovation and strengthening its IP ecosystem. Bahrain currently maintains similar PPH agreements with China, the United States, South Korea, the EPO, Saudi Arabia, and Oman.

**RUSSIA:  
REVISION OF OFFICIAL TRADEMARK FEES**



The Russian Patent and Trademark Office (Rospatent) have implemented new official fees under Government Resolution No. 1459, effective 4 October 2025. The updated fee structure introduces additional charges for trademark applications and renewals listing more than 10 goods or services per class. Fees are now calculated based on both the number of classes and the total items per class. Applicants should review their specifications carefully to manage costs under the revised structure.

**UNITED KINGDOM:  
UKIPO LAUNCHES NEW INTELLIGENCE GATEWAY  
TO TACKLE IP CRIME**



The UK Intellectual Property Office (UKIPO) has launched its new IP Crime Reporting Gateway, a digital platform that makes it easier to report and combat IP crimes such as counterfeiting and infringement across the UK.

Developed in partnership with the Police Intellectual Property Crime Unit (PIPCU), the gateway replaces the older PIPCU referral form and streamlines how rights holders, enforcement agencies, and the public can share intelligence on suspected IP crimes.

Reports submitted through the platform are handled by the UKIPO Intelligence Gateway Team, comprising trained intelligence officers who assess, prioritize, and



refer cases for investigation or law enforcement action. The team also works with UKIPO financial investigators and analysts in complex cases involving organized counterfeiting networks.

Working closely with PIPCU and the wider UKIPO IP Crime Coordinator network, the initiative ensures stronger, more coordinated IP crime enforcement nationwide.

The UKIPO urges businesses, rights owners, and the public to report counterfeit or infringing products via the new webform on its official site—reinforcing the UK’s ongoing commitment to protecting innovation, creativity, and brand integrity.

### CHINA: TIKTOK AND INTA EXPAND UNREAL CAMPAIGN TO COMBAT COUNTERFEITS



TikTok has partnered with the International Trademark Association (INTA) to expand the Unreal Campaign, a global initiative aimed at raising awareness about the dangers of counterfeit goods. The

collaboration focuses on educating Gen Z consumers about authentic products, IP rights, and safe online shopping—enhancing trust and brand protection across TikTok Shop.

Under the campaign, TikTok and INTA will release educational videos and short-form content to help users identify fake products and understand the risks of counterfeits, including safety and financial harm. Leveraging TikTok’s strong influence among young audiences, the campaign will creatively promote authenticity and responsible shopping.

The partnership reinforces TikTok’s commitment to IP enforcement and a safe e-commerce environment. By integrating anti-counterfeit education into TikTok Shop, both organizations aim to strengthen consumer awareness and brand protection worldwide.

As counterfeit challenges grow across digital marketplaces, this initiative highlights how collaboration between social media platforms and IP organizations can build a more trustworthy and authentic online shopping space.

### AMAZON BRAND REGISTRY 2025 STRENGTHENS TRADEMARK PROTECTION WITH NEW ENFORCEMENT TOOLS



Amazon has introduced major updates to its Brand Registry 2025, reinforcing its position as the leading IP protection and brand management system on the world’s largest e-commerce marketplace. The new features

focus on trademark enforcement, anti-counterfeit automation, and stronger brand control, offering enhanced tools for businesses to safeguard their intellectual property.

Enrolling in Amazon Brand Registry 2025 gives trademark owners extensive control over how their products appear on Amazon, with benefits such as advanced counterfeit protection, Brand Catalog Lock, A+ Content tools, custom storefronts, and detailed transparency analytics. Eligible brands must have a registered or pending trademark from an accepted IP office, with Amazon IP Accelerator available to simplify registration.

#### Key updates include:

**Brand Catalog Lock** – allows brands to lock product titles, images, and descriptions, preventing unauthorized edits or counterfeit listings.

**Real-Time Machine Learning Enforcement** – automatically scans for and removes infringing listings before complaints are filed.

**Seller Transparency Tools** – provide access to detailed seller data to identify repeat infringers and support broader IP enforcement strategies.

**Upgraded Report a Violation Tool** – enables brands to file, track, and resolve IP complaints more efficiently.

Amazon’s Project Zero and Transparency Program have also expanded in 2025, offering direct counterfeit removal options and unique product codes for authentication across more regions and product categories. Beyond enforcement, the Brand Registry also supports brand growth and visibility through SEO optimization, A+ Content, and enhanced advertising features—helping legitimate sellers improve rankings, earn customer trust, and boost sales. By integrating advanced automation and AI-driven enforcement, Amazon Brand Registry 2025 provides round-the-clock IP protection, setting a new standard for online brand security and authenticity.



## PATENT CASE

**ABBVIE IRELAND UNLIMITED COMPANY (Petitioner) vs CONTROLLER GENERAL OF PATENTS, DESIGN, TRADEMARK AND GEOGRAPHICAL INDICATIONS & ORS. (Respondents)**

CASE NO.: W.P.(C)-IPD 58/2025, CM 242/2025 & CM 243/2025  
DECIDED ON: 10th October 2025

 The petitioner filed a writ petition challenging multiple pre-grant opposition under Section 25(1) of the Patents Act, 1970 against their patent application. The petitioner argued that multiple oppositions filed at the patent office were frivolous and filed by 'Benami Opponent' and the patent office issued the formal notice mechanically without any application of mind. The petitioner further stated that there have been excessive delay in concluding the hearings and deciding the matter. The respondent stated that the hearings were already underway and out of all the opponents one opponent had withdrawn.

The Hon'ble Delhi High Court noted the procedural delays caused by the respondent and accordingly emphasized the need for procedural fairness and timely adjudication. The Hon'ble Court directed the respondent to continue hearing as per scheduled dates and to issue a consolidated reasoned order on all the pending pre-grant opposition by 31 December 2025. The Hon'ble Court concluded by disposing of the petition.

**SEQUENOM INC & ANR. (Appellants) vs THE CONTROLLER OF PATENTS (Respondent)**

CASE NO.: C.A.(COMM.IPD-PAT) 13/2022 and C.A. (COMM.IPD-PAT) 448/2022  
DECIDED ON: 09th October 2025

 The appellants challenged the refusal of two Indian patent applications relating to non-invasive prenatal screening (NIPT) methods by the respondent under section 3(i), 3(b), 3(d) and lack of inventive step of the Indian Patent Act 1970. The appellants argue that the claimed inventions are screening (NIPT) methods and not diagnostic methods. The appellants state that the claimed invention identifies candidates for confirmatory tests and therefore the product/tool claims are patentable, and the claimed invention cannot be refused under section 3(i). The respondent states that the claimed invention effectively determine presence or absence of fetal abnormalities including sex-linked markers and thus

cannot be patented and excluded by section 3(i) amounting towards diagnostic process.

The Hon'ble Delhi High Court observed the following matter and stated that the product, tool or the device are patentable whereas the process claims that by themselves yield a diagnosis or tangible result for treatment are excluded from patentability under section 3(i) of the Patent Act, 1970. The Hon'ble Court further stated that the method which eliminates the need for further confirmatory testing or yields a decisive positive/negative finding falls within the exclusion from patentability, therefore the claimed invention cannot be patented under section 3(i). The Hon'ble Court upheld the respondent decision rejecting the appellants' patent applications and dismissing the present appeals.

**TAPAS CHATTERJEE (Appellant) vs ASSISTANT CONTROLLER OF PATENTS AND DESIGNS & ANR. (Respondents)**

CASE NO.: LPA 836/2023, CM APPL. 66718/2023, M APPL. 66719/2023, CM APPL. 66720/2023, CM APPL. 66721/2023 & CM APPL. 66722/2023  
DECIDED ON: 06th October 2025

The appellant filed an appeal against an impugned order passed by the respondents for rejecting the appellant's patent application. In the present subject matter, the Council of Scientific and Industrial Research (CSIR) had filed for pre-grant opposition against the appellant's patent application, and the respondents passed the impugned order by upholding only the objection relating to Section 25(1)(e) and Section 25(1)(f) read with Section 3(d) of the Indian Patent Act, 1970.

The appellant argued that the process included in the subject patent application yields potash and other value-added products and achieves Zero Liquid Discharge (ZLD) using an innovative sequence of steps which differs from cited prior arts. The respondents countered that the steps are standard chemical-plant operations which are already disclosed in prior arts, also the claims are obvious and amount to mere use of known processes lacking inventiveness under section 3(d).

The Hon'ble Delhi High Court noted the impugned order lacks reasoning and therefore ordered a de novo reconsideration. The Hon'ble Court concluded by rejecting the section 3(d) objection against the appellant's patent application and directed a fresh and reasoned evaluation by following all the due procedure and remitted the matter for re-adjudication within six months.



F. HOFFMANN-LAROCHEAG & ANR.



(Plaintiffs) vs

NATCO PHARMA LIMITED



(Defendant)

CASE NO.: CS(COMM)567/2024

DECIDED ON: 26th September 2025

In the present case, the plaintiffs filed a suit against the defendant restraining them from manufacturing or marketing the plaintiff's patented product. While the earlier matter was still pending, the defendant filed an application under section 151 CPC to place an affidavit by their vice president of IPR stating that the company had received request to conduct academic clinical trials of Risdiplam and wished to submit relevant details in a sealed cover to avoid contempt of the existing status quo order.

The Hon'ble Delhi High Court observed that the Division Bench had already reserved the judgement in the appeal against the earlier interim order and the status quo remained operative. The Hon'ble Court stated that the proposed affidavit was unnecessary and irrelevant to the pending issue. Therefore, the Hon'ble Court dismissed the defendant's application and concluded by maintaining the interim directions unchanged.

CARL FREUDENBERG KG & ORS.



(Plaintiffs) vs FNG CLEAN

AND HYGIENE PRIVATE LIMITED  
& ANR. (Defendants)



CASE NO.: CS(COMM) 564/2025

DECIDED ON: 11th September 2025

The plaintiffs filed the present suit restraining the defendants from infringing their granted patent titled "Synthetic Broom,". The plaintiffs alleges that the defendants are commercially manufacturing and selling a broom titled "Sir Prize No Dust Broom", which infringes the plaintiffs' patent. The plaintiffs filed an application seeking an appointment of a local commissioner to conduct search-and-seizure operations at the defendant's premises. Accordingly, the local commissioner visited the defendant's premises for inspection, and the local commissioner shall file their Reports within two (2) weeks of executing the commission.

Subsequently the plaintiffs and defendants reached an amicable settlement. The Hon'ble Delhi High Court heard both parties (plaintiffs and defendants) and is satisfied that the said compromise satisfies the requirement of Order XXIII Rule 3 CPC. The Hon'ble Court concluded by disposing all pending applications and directed a full refund of court fees to the plaintiffs.



## TRADEMARK CASES

THE INDIAN HOTELS COMPANY LIMITED (Plaintiffs)  
vs VIVANTA STAYS & ORS. (Defendants)

CASE NO.: CS(COMM) 1109/2025 & I.A. 25754-25760/2025

DECIDED ON: 17th October 2025

In the present suit the plaintiff a Tata Group company and proprietor of the well-known hotel brand 'VIVANTA', filed a suit against defendants for trademark infringement and passing off. The plaintiff alleged that the defendants had dishonestly adopted its well-known registered mark 'VIVANTA' to run a business of luxury villas and real estate under names such as "Vivanta Stays" and "Vivanta Realty /



misleading customers into believing that these were associated with plaintiff hotel chain. Despite being served with cease-and-desist notices, Defendant No. 1 continued using VIVANTA on its website and social media to promote vacation stays, and Defendant No. 2, though previously undertaking cease usage, appeared to be aiding the infringement through Defendant No. 1. No counsel appeared for the defendants during the hearing.

The Hon'ble Delhi High Court noted that the plaintiff's mark 'VIVANTA' enjoys immense goodwill and reputation globally and that the defendants' adoption of an identical mark was dishonest and intended to deceive consumers. The use of VIVANTA for similar hospitality services, vacations, and real estate clearly infringed the plaintiff's rights and risked misleading the public. The Hon'ble Delhi High Court emphasized that VIVANTA is a well-known trademark protected under Indian law, and unauthorized use by defendants showed deliberate and fraudulent conduct. The Hon'ble Court granted an ex-parte ad-interim injunction restraining defendants from using the marks VIVANTA STAYS, VIVANTA REALTY, or any deceptively similar mark in any form online or offline. The injunction effectively safeguarded the plaintiff's well-known trademark from further misuse.

KHADI AND VILLAGE INDUSTRIES COMMISSION  
(Plaintiffs) vs SA SERVICES GRAMODYOG SANSTHA  
AND ORS. (Defendants)

CASE NO.: CS(COMM) 1123/2025 & I.As. 25965-68/2025

DECIDED ON: 16th October 2025

In the present suit the plaintiff filed a suit against defendants seeking a permanent injunction restraining them from infringing its registered trademark "





The action was prompted by the defendants' sale of cosmetic products such as soaps, shampoos, and lotions under the mark “KHADI TRADITIONAL/



”, using the domain name [www.khaditraditional.com](http://www.khaditraditional.com) and various social media handles, which were deceptively similar to plaintiff well-known “KHADI” mark. Plaintiff argued that while the defendants once held a limited certificate to use the KHADI mark for textiles, they had misused the certification by applying the mark to cosmetics a class of goods for which they were never authorized. Despite plaintiff cease-and-desist notice and clarification, the defendants continued to market products under the impugned mark and even sought its registration. No counsel appeared for the defendants during the proceedings.

The Hon'ble Delhi High Court observed that the plaintiff's “KHADI” mark has acquired a well-known trademark status, enjoying immense goodwill across India. The Hon'ble Court held that the defendants' use of “KHADI TRADITIONAL” subsumed the plaintiff's mark entirely, leading to a high likelihood of consumer confusion and noted that the limited authorization granted to the defendants for textile use could not extend to cosmetics or justify the creation of a deceptively similar mark. The Hon'ble Court emphasized that the defendants' actions amounted to riding upon the reputation and goodwill of the plaintiff's brand with the intent to mislead the public into believing an association or approval by plaintiff. The Hon'ble Court found a strong prima facie case in favor of plaintiff consequently, granted an ex-parte ad-interim injunction.

**FULLIFE HEALTHCARE PVT LTD & ANR.  
(Plaintiffs) vs MEESHO TECHNOLOGIES PVT. LTD.  
& ORS. (Defendants)**

CASE NO.: FAO(OS) (COMM) 20/2020, CM APPLs.  
61732/2024, 61733/2024, 17866/2025 & 27609/2025  
DECIDED ON: 25th September 2025

In the present case the plaintiffs filed a suit against the defendant for systematic trade-mark infringement, passing off and sale of counterfeit nutraceutical/health-care products bearing the registered “CHICNUTRIX” family of marks on the defendant platform. The plaintiff said that counterfeit listings were repeatedly detected despite takedown requests, causing loss of goodwill, consumer deception and risk to public health. The Plaintiffs assert defendant has been repeatedly notified yet has failed to permanently prevent re-listings. Defendant maintains that it has acted promptly to deactivate listings when informed and that it does not itself manufacture or directly sell the accused goods.

On a prima facie review of pleadings and documents, the Hon'ble Delhi High Court was satisfied that Defendant Nos.2–12 are engaged in marketing and selling counterfeit products bearing the CHICNUTRIX marks and that the Plaintiffs' reputation and public interest given the healthcare nature of the goods warranted interim protection. The Hon'ble Delhi High Court accepted the comparative product evidence showing deceptive similarity and noted re-listings on the platform despite prior enforcement efforts and granted ad-interim relief in favour of the Plaintiffs. Defendants were restrained from manufacturing, selling or dealing in counterfeit products bearing the plaintiffs' CHICNUTRIX marks or deceptively similar trade dress.



## COPYRIGHT CASES

**VISHAL SAKHLA AND OTHERS (Petitioners) vs  
SA SERVICES GRAMODYOG SANSTHA AND  
ORS. (Respondents)**

CASE NO.: MISC. CRIMINAL CASE No. 26737 of 2023  
DECIDED ON: 16th October 2025

In the present case the petitioners filed a petition under Section 482 of the Code of Criminal Procedure seeking to quash FIR No. 285/2023, registered at Police Station Thatipur, Gwalior. The FIR alleged offences under Section 63 of the Copyright Act, 1957 and Section 33EEC of the Drugs and Cosmetics Act, 1940. The petitioners claimed they were engaged in the legitimate sale of Ayurvedic products and had been falsely implicated in connection with counterfeit goods purportedly similar to those of “M Satyam Pharmacy.”

The petitioners argued that the search and seizure operations were conducted illegally without following the mandatory procedure prescribed under Sections 22 and 23 of the Drugs and Cosmetics Act, as no Drug Inspector or proper authorization was involved. They contended that the police had no jurisdiction to register the FIR since prior sanction from the competent authority was required, and there was no registered copyright of “M Satyam Pharmacy.” They claimed malicious intent behind the FIR, relying on the Supreme Court's ruling in State of Haryana v. Bhajan Lal (1992).

In response, the respondents opposed the plea, asserting that Section 63 of the Copyright Act is a cognizable offence, thereby empowering the police to investigate. They relied on M/S Knit Pro International v. State of



NCT of Delhi (2022) and Union of India v. Ashok Kumar Sharma (2021) to argue that the police could investigate such cases even if they incidentally involved other offences under non-cognizable laws like the Drugs and Cosmetics Act. They further emphasized that copyright registration is not mandatory for initiating criminal proceedings, as held in K.C. Bokadia v. Dinesh Chandra Dubey (1999).

The Hon'ble Gwalior High Court noted that the FIR clearly disclosed a cognizable offence under Section 63 of the Copyright Act, punishable by up to three years' imprisonment, and thus fell within the police jurisdiction. The Hon'ble Court reaffirmed that copyright protection arises from authorship, not registration, making the petitioners' argument untenable. The Hon'ble Court further observed that Section 32(3) of the Drugs and Cosmetics Act expressly permits police investigation when the alleged act also constitutes a cognizable offence under another law. The Hon'ble Court held that allegations regarding procedural irregularities or *mala-fide* intent were matters for trial, not grounds for quashment at the threshold.

Applying the principles laid down in State of Haryana v. Bhajan Lal, The Hon'ble Court found no reason to exercise inherent powers under Section 482 CrPC. The Hon'ble Court concluded that the FIR discloses sufficient material indicating prima facie offences and that the investigation could not be halted merely on technical objections. Accordingly, the petition was dismissed, upholding the legality of the FIR and allowing the investigation to proceed.

**HRITHIK ROSHAN (Plaintiffs) vs  
ASHOK KUMAR/JOHN DOE & ORS. (Defendants)**

CASE NO.: CS(COMM) 1107/2025 & I.A.

25665-25667/2025

DECIDED ON: 15th October 2025

In the present suit the plaintiff filed a suit before the Delhi High Court against defendants seeking a permanent injunction for misappropriation of his personality and publicity rights, infringement of copyright and performer's rights, and passing off. The suit was prompted by the defendants' misuse of his name, voice, likeness, and other personality traits through Artificial Intelligence (AI), deepfakes, morphed videos, vulgar memes, and unauthorized sale of merchandise that exploited his identity for commercial gain without consent. The plaintiff contended that his image, voice, and reputation were being unlawfully exploited through AI-generated and obscene content, causing not only reputational damage but also loss of endorsement income. He emphasized that his personality forms valuable intellectual property, and any unauthorized use diluted his goodwill and deceived his

fans. The appearing defendants submitted that they would comply with the Hon'ble Court's directions and take down specified infringing URLs or posts, subject to identification of exact links. Some argued that entire fan pages should not be taken down unless specific infringing content was identified.

The Hon'ble Delhi High Court observed that plaintiff, having achieved immense fame and goodwill, was entitled to control the commercial use of his persona. The Hon'ble Delhi High Court relied on precedents such as D.M. Entertainment v. Baby Gift House, Anil Kapoor v. Simply Life India, and Jackie Shroff v. The Peppy Store, reiterating that unauthorized commercial use of a celebrity's likeness constitutes infringement of publicity rights. The Hon'ble Delhi High Court recognized that plaintiff's name, image, voice, and likeness are protectable attributes forming part of his personality rights, and misuse of these through AI or other technological tools violated his statutory and moral rights, causing irreparable harm to his reputation.

The Hon'ble Delhi High Court granted an ex-parte ad-interim injunction restraining defendants from using plaintiff name, image, voice, likeness, or any other persona attributes for commercial purposes, particularly through AI, deepfakes, GIFs, or other morphing techniques. The Hon'ble Delhi High Court directed several defendants to take down infringing URLs, block access to apps and websites, and furnish Basic Subscriber Information (BSI) of offenders within three weeks. The order ensured immediate protection of the actor's personality rights and set strict timelines for compliance.

**MR. AR RAHMAN (Appellant) vs USTAD FAIYAZ  
WASIFUDDIN DAGAR & ORS. (Respondents)**

CASE NO.: FAO(OS) (COMM) 86/2025 & CM APPL.

27354/2025

DECIDED ON: 24th September 2025

In the present case, the appellant challenged the Single Bench's interim order dated 25.04.2025, which had arisen from a suit filed by the respondent alleging that the appellant's song "Veera Raja Veera" (from Ponniyin Selvan – II) had incorporated and commercially exploited the Dagar family composition "Shiva Stuti" without authorization or attribution, and seeking, inter alia, recognition of copyright and moral rights, along with injunctions and appropriate credits.

Appellant argued that the material is part of the Dagarvani/Dhrupad tradition (public domain or scenes-à-faire), stage performances do not equal authorship of the underlying composition, many disciples/other



artists have performed similar renditions, and the respondent has not proved prima facie authorship or originality.

Respondent contented that the “Shiva Stuti” bandish/composition (dated to the 1970s and evidenced by a 22-June-1978 Amsterdam performance and CD) is an original work of the Junior Dagar Brothers and the copyright is devolved to the plaintiff. The impugned song reproduces the soul, swar patterns and 10-beat taal of that composition and therefore amounts to infringement and breach of moral rights.

The Single Judge at interim stage accepted the respondent evidence (CD, inlay card, family letters and the 1978 performance) as sufficient at a prima facie stage to treat the composition as an original work by the Junior Dagar Brothers, and granted interim relief requiring credit changes, deposits and costs.

The Division Bench of Hon'ble Delhi High Court disagreed on principle: while recognizing that Indian classical works may be fixed by performance and can be protected, the Hon'ble bench held that evidence of mere performance cannot automatically be equated with authorship of the musical composition. The learned Single Judge had conflated performance with composition and failed to apply the correct burden/filtering principles (i.e., filter out genre-mandated, unprotectable raga elements before comparison). For these reasons the Hon'ble High Court found the interim finding of authorship to be unsustainable as a matter of law at the interlocutory stage.

The Division Bench allowed the appeal quashed and set aside the Single Judge's interim order, dismissed the respondent interlocutory application and disposed of pending applications holding that the respondent had not established a prima facie case of authorship for “Shiva Stuti” such as to sustain the interim relief. The Hon'ble Court clarified it was deciding the prima facie/interim question only and did not finally adjudicate merits which may be examined at trial with leading evidence.

**UNIVERSAL CITY STUDIOS PRODUCTIONS LLLP & ORS. (Plaintiffs) vs ISAIDUB.SPOT & ORS. (Defendants)**

**CASE NO.: CS(COMM) 1009/2025 & I.A. 23855-60/2025  
DECIDED ON: 23rd September 2025**

In the present suit the plaintiffs sued the defendants seeking permanent injunctions, rendition of accounts and ancillary reliefs for large-scale online piracy. Plaintiffs argued that the listed websites are substantially engaged in infringing activities (hosting /streaming/reproducing /communicating plaintiffs' cinematograph works without

authorisation) and the takedown notices were sent but no action taken the infringement continued an urgent ad-interim relief is necessary to prevent irreparable loss. Only one defendant (No.42) responded at the interlocutory stage claiming it merely indexes publicly available content and does not host files. Other defendants had not engaged meaningfully in the record.

The Hon'ble Delhi High Court accepted that plaintiffs had established a prima facie case and that balance of convenience and risk of irreparable harm favoured immediate relief. Emphasising the “hydra-headed” and dynamic nature of online piracy, the Hon'ble Court endorsed and shaped a strong, practical remedy a 'Dynamic+ injunction' allowing plaintiffs to add mirror/redirect/alphanumeric variants and seek extension of the injunctive relief quickly to newly discovered infringing permutations. The Hon'ble Court also required plaintiffs to file an “Evidence Key” / convenience volume and left procedural safeguards (e.g., route for wrongly blocked non-infringing sites to apply for modification). The Hon'ble Court granted ad-interim relief in favour of the plaintiffs, directed to lock/suspend the listed domains and hand over registrant details to plaintiffs within 72 hours. The Hon'ble Court directed DOT and MeitY to issue notifications calling upon ISPs to block the sites within 72 hours.





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