AUDIRI VOX
a client-centric ip practice
MIDDLE EAST – ASIA – AFRICA

AVIP

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In This Issue

AUDIRI VOX AT INTA 2026 ANNUAL MEETING – LONDON

Audiri Vox is pleased to announce that we will be participating in the 2026 INTA Annual Meeting, taking place in London, England, from May 2–6, 2026. The INTA Annual Meeting is the world's leading gathering of trademark and brand protection professionals, bringing together more than 10,000 IP practitioners, business leaders and policymakers from over 100 jurisdictions.

We invite our clients, associates and friends to visit us at Booth No. 1840 in the Exhibition Hall to discuss trademark, patent, design and broader IP strategies across the Middle East, North Africa, and Asia. Representing Audiri Vox this year are Sarmad Manto – Managing Partner, Divyendu Verma – Global Head of Patents & Designs and Abdullah Manto (Associate, IP Department).

Our team will be available throughout the Meeting for scheduled one to one discussions, networking and exploring new collaboration opportunities. To arrange a meeting in advance or to receive our detailed INTA schedule, please contact any of the above delegates or email us at global@audirivox.com.
We look forward to meeting you in London at INTA 2026.

Abdullah Hasan Manto
Associate - Audiri Vox

LIVE SPORTS BROADCASTING RIGHTS ARE ONLY AS VALUABLE AS THEIR ENFORCEMENT

As the World Intellectual Property Organization (WIPO) marks World IP Day 2026 under the theme "IP & Sport - Ready, Set, Innovate!", global attention turns to the role intellectual property rights plays in driving innovation, commercial sustainability, and economic growth across the sports ecosystem. While much of the discussion focuses on cutting-edge equipment, athlete technology, performance analytics and fan engagement platforms, one of the most commercially critical pillars of modern sport lies in broadcasting rights. In today's digital and streaming-driven environment, the monetization of live sporting events depends not only on technological innovation but on the robustness of IP enforcement mechanisms. Nowhere is this more evident than in the battle against illegal live streaming - where the value of sports content is measured in minutes, and enforcement must move at the speed of the game itself.

Live sport is uniquely perishable. A counterfeit handbag can retain value long after it enters the market, whereas a pirated stream is commercially potent for only a few hours. Once the final whistle blows, the damage is done. That time-sensitive reality has transformed piracy from a background nuisance into a frontline commercial threat. Rights-holders are no longer relying solely on reactive takedowns. They are deploying dynamic injunctions, domain-blocking orders, coordinated cross-border actions, financial disruption strategies, and structured migration of viewers toward lawful platforms. Enforcement is no longer episodic – it is strategic.

Recent events confirm the shift. In late 2025, enforcement action against Streameast, once one of the most widely accessed illegal live sports streaming platforms globally, illustrates how piracy is being reclassified from a tolerated digital nuisance into a form of organised commercial exploitation.

At the same time, major broadcast restructurings such as the recent long-term media rights agreement between the UFC and Paramount, reported to be valued at USD 7.7 billion, demonstrate why enforcement capability is now inseparable from the value of sports broadcasting itself. As premium sports content continues to migrate from traditional pay-per-view models to subscription-led streaming platforms, piracy no longer threatens isolated events; it undermines subscriber growth, advertising confidence, and the integrity of entire distribution ecosystems.

Together, these developments mark a recalibration in how live sports piracy is understood, addressed, and factored into the commercial architecture of sports broadcasting.

Why Streameast became a reference point for enforcement

At its height, Streameast was not simply hosting unauthorised streams. It operated as an aggregation layer for premium sports content, removing friction for users and offering immediate access to live events otherwise restricted by exclusive broadcasting arrangements.

From an enforcement perspective, what made Streameast resilient was its persistence. Early interventions focused primarily on access disruption, including domain seizures. While these measures were temporarily disruptive, they did not eliminate the underlying operation. Alternative domains emerged, traffic rerouted, and user demand remained constant.

This pattern mirrors what brand owners have long observed in physical counterfeiting markets. When enforcement concentrates on points of sale rather than operational structure, illicit activity adapts rather than disappears.

The decisive phase in the Streameast matter followed a different model: sustained investigation, cross-border cooperation, and action taken in a jurisdiction where meaningful operational disruption was possible.

Furthermore, the enforcement action did not stop at domain removal. Authorities reportedly executed targeted raids, seized digital and financial assets, and fractured a previously centralised piracy hub. That distinction is critical. The significance lies less in the takedown itself than in how it was achieved. Domain seizures interrupt visibility, asset seizures undermine viability.

From an anti-counterfeiting standpoint, this is familiar territory. Successful enforcement focuses on supply chains, revenue flows, and operational infrastructure, not merely storefronts.

When piracy behaves like counterfeiting, enforcement must evolve

Illegal live sports streaming increasingly displays the same commercial characteristics as traditional counterfeiting:

- it free rides on established brand and broadcast value.
- it substitutes the legitimate product in real time.
- it generates revenue through advertising and data capture.
- it exposes consumers to security and fraud risks.
- it reproduces rapidly when enforcement is superficial.

In this context, piracy platforms are not merely infringing content rights. They are participating in a parallel market that competes directly with licensed broadcasters.

The post Streameast environment reinforces this point. Even after major disruption, unaffiliated sites began using the same name and visual cues to attract traffic. This form of imitation is familiar territory in anti-counterfeiting work: once a known infringing "brand" is displaced, others attempt to inherit its audience.

That reality makes a compelling case for applying anti-counterfeiting logic to digital piracy enforcement, targeting structure, monetisation pathways, and scale, rather than relying solely on notice-and-takedown mechanisms.

Live sport changes the enforcement calculus

Live sports content presents a distinct enforcement challenge. Demand is immediate and time sensitive. Viewers do not postpone consumption. If an illegal stream is available at the moment of demand, it competes directly with authorised access.

This makes speed and visibility critical. Enforcement that occurs after an event concludes may satisfy legal process, but it does little to protect commercial value.

For rights-holders and broadcasters, this has a direct consequence: the economic value of live sports rights now depends on the ability to protect exclusivity in real time.

Why the UFC media shift raises the stakes

The UFC's long-term media rights agreement with Paramount reflects a broader industry transition. Moving away from a traditional pay-per-view model and toward a subscription-led, mainstream distribution strategy changes the piracy risk profile entirely.

Under pay-per-view, piracy primarily undermines individual event purchases. Under a subscription and advertising - supported model, piracy erodes platform growth, subscriber retention, advertiser confidence, and long-term brand equity.

In that environment, enforcement is no longer a peripheral legal concern. It is a foundational component of the commercial model. The ability to suppress large-scale illegal streaming supports not only revenue protection, but deal valuation itself.

Seen through that lens, enforcement actions against platforms like Streameast are not retrospective exercises. They are forward-looking market stabilisation measures.

Practical lessons for rights-holders and regulators

Several themes emerge clearly:

- Structure matters more than surface. Domain seizures disrupt access, but durable outcomes require intervention at the operational and financial level.
- Regeneration is inevitable. Post-takedown imitation and cloning should be anticipated and planned for.
- Consumer redirection has value. Visible enforcement paired with lawful alternatives reduces repeat infringement and reinforces legitimate markets.
- Framing influences outcomes. Treating sports piracy as organised commercial exploitation unlocks broader enforcement tools and cooperation.

Why this matters for the region

Jurisdictions with strong anti-counterfeiting frameworks are well positioned to address large-scale digital piracy because the underlying principles are aligned.

As sports consumption across the Middle East becomes increasingly platform-driven, illegal streaming presents familiar risks: erosion of brand value, distortion of markets, and reduced confidence in rights protection.

The lesson from Streameast is not that piracy can be eliminated. Instead, it demonstrates that when enforcement moves beyond symbolic disruption and focuses on commercial reality, meaningful impact is achievable.

As the economic value of sports IP continues to rise, the divide between broadcasting strategy and enforcement strategy is rapidly collapsing. Content acquisition, platform architecture, subscriber growth, and real time enforcement now operates as parts of a single commercial equation. In that environment, anti-piracy enforcement is no longer peripheral to sports law. It is foundational to the sustainability of the modern sports ecosystem.

Sanuji Munasinghe
Attorney at Law- AUDIRI VOX

SRI LANKA'S NEW ONLINE INTELLECTUAL PROPERTY SEARCH PLATFORM

In February 2026, the National Intellectual Property Office (NIPO) of Sri Lanka launched its online search platform. This initiative marks a significant milestone in the country's digital transformation efforts.

Developed with the support of the World Intellectual Property Organization, the new platform reflects Sri Lanka's continued collaboration with international institutions to strengthen its IP administration and align with global best practices.

The system presently provides users with the ability to conduct Trademark, Patent and Industrial Design searches without the hassle of physically visiting the NIPO.

Users can access the database via **https://nipo.lk.wipo.net/**

Through the portal, you can:

- Search existing trademarks to determine whether a mark is already registered.
- Review Patent and Industrial design records, including published applications and ownership details.
- A user can select the relevant IP category (trademark, patent, or industrial design) and search criteria such as a name, applicant name, class number, or application number.
- A report appears which provides the results for status updates, ownership information, and filing details.

This development is significant to Sri Lanka as it treads towards modernizing public services and improving accessibility to IP information.

The introduction of this system not only creates efficiency as it minimizes paperwork and any administrative delays but will also provide support to both local and international businesses in their business decisions revolving around IP rights. Applicants can monitor the progress of their applications and look out for potential infringements of their IP rights.

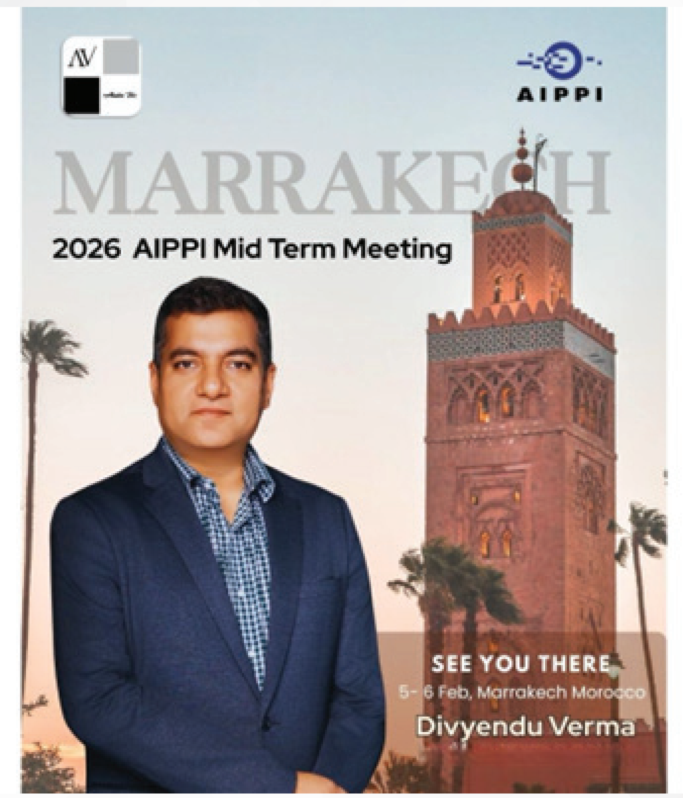
This initiative forms part of Sri Lankan Government's wider digital governance strategy with the intention to increase efficiency and public access to state services.

In addition to the services the system currently provides, works are currently underway to introduce a fully functional online filing system through the National Intellectual Property Office (NIPO).

Once implemented, this next phase of digitalization will allow applicants to electronically file trademark, patent, and industrial design applications directly through the online portal. The move will significantly streamline procedures, reduce processing times, and minimize the need for manual documentation and in-person submissions.

MARRAKECH MIDTERM REFLECTIONS: PATENTS, DESIGNS AND GLOBAL POLICY CONVERSATIONS AT AIPPI 2026

The AIPPI MidTerm Meeting 2026, held on 5–6 February 2026 in Marrakech, Morocco, brought together intellectual property professionals from around the world for two days of committee deliberations, policy discussions, and valuable professional exchanges. The MidTerm Meeting traditionally focuses on the internal working sessions of AIPPI's committees, which play a central role in shaping the organization's policy studies and future resolutions.



One of the key themes that attracted considerable interest in discussions with international colleagues was the recent developments in EUIPO and India's design law framework. India has been actively reviewing and updating aspects of its design protection regime in order to align with international best practices and respond to the rapidly changing innovation ecosystem. These developments are particularly important as industrial designs are increasingly recognized as a strategic asset for industries ranging from consumer electronics and automotive to fashion and digital interfaces.

Our Global Head of Patents/Designs Dept – Mr. Divyendu Verma has attended the MidTerm meeting on behalf of Audiri Vox. Marrakech offered a memorable opportunity for informal engagement with colleagues from different jurisdictions.

Mr. Verma had the pleasure of playing a couple of golf rounds with fellow IP attorneys, which proved to be a wonderful experience. Beyond the sport itself, the relaxed setting provided an excellent opportunity to reconnect with friends from the global IP community and discuss ongoing developments in our respective jurisdictions.

Another area of discussion was the recent concept note released by the Government of India regarding the Design Law Treaty (DLT). The note reflects India's evolving approach towards potential participation in the treaty framework and highlights several issues relating to procedural harmonization and administrative practices in design protection. Among practitioners attending the meeting, there was significant interest in understanding how India's design system may evolve in light of international developments and ongoing discussions within the World Intellectual Property Organization (WIPO).

These exchanges were particularly valuable because AIPPI meetings bring together practitioners from diverse legal systems, allowing for meaningful comparisons between jurisdictions. Conversations around design protection, filing practices, and procedural harmonization underscored the growing importance of creating efficient and globally compatible IP systems that support innovation while remaining accessible to businesses of all sizes.

The MidTerm Meeting also provided opportunities to engage with colleagues on broader issues affecting the IP ecosystem, including the impact of emerging technologies such as artificial intelligence on patentability, copyright protection, and enforcement strategies. As innovation increasingly intersects with digital technologies, these discussions are becoming central to the global IP policy debate.

Beyond the formal committee meetings, the event offered excellent networking opportunities. Marrakech, with its historic architecture, vibrant culture, and welcoming atmosphere, provided a unique backdrop for professional exchanges and informal conversations.

AIPLA DELEGATION TO THE UAE: STRENGTHENING GLOBAL IP DIALOGUE IN A RISING INNOVATION HUB

The first-ever delegation of the American Intellectual Property Law Association (AIPLA) to the United Arab Emirates marked an important step in strengthening international engagement on intellectual property and innovation policy. The visit brought together members of the global IP community to better understand the UAE's rapidly evolving IP ecosystem and its ambition to position itself as a leading innovation hub in the Middle East.

The delegation was led by AIPLA President Salvatore Anastasi, along with International Committee Chair Brian and MENA Sub-committee Chair David, whose leadership made this inaugural visit both productive and forward-looking. The initiative reflects AIPLA's growing commitment to expanding its engagement beyond traditional jurisdictions and fostering meaningful dialogue with emerging innovation economies.

Among the participants was Mr. Divyendu Verma, Global Head of Patents & Designs Department at Audiri Vox and Vice Chair of the AIPLA Asia Pacific Committee, who attended the delegation and contributed to the discussions from the perspective of the Asia-Pacific IP community.Department at Audiri Vox and Vice Chair of the AIPLA Asia Pacific Committee, who attended the delegation and contributed to the discussions from the perspective of the Asia-Pacific IP community.

The program included a series of high-level meetings with key government institutions, academic organizations, and innovation-focused entities in the UAE. Among the organizations that hosted the delegation were the UAE Ministry of Economy and Tourism (MOET), Dubai Economy and Tourism (DET), the Technology Innovation Institute (TII), New York University Abu Dhabi, the U.S. Embassy in Abu Dhabi, SPARK (Sharjah), and the DIFC Courts.

These engagements offered valuable insights into how the UAE is building a robust framework that integrates intellectual property, technology development, research institutions, and international cooperation. Discussions with government officials highlighted the country's strategic initiatives aimed at strengthening IP protection, attracting technology-driven investments, and supporting research and innovation.

Particularly noteworthy were the conversations around how the UAE is positioning itself as a regional hub for advanced technologies, artificial intelligence, and research-driven innovation. Institutions such as the Technology Innovation Institute are playing a pivotal role in driving cutting-edge technological development, while collaborations with academic institutions like NYU Abu Dhabi demonstrate the importance the UAE places on integrating academia with innovation ecosystems.

Meetings with the DIFC Courts also provided important perspectives on the region's dispute resolution mechanisms and the role of specialized judicial institutions in supporting international business and IP enforcement. These interactions underscored the UAE's commitment to establishing a reliable and internationally aligned legal infrastructure that encourages global investment and technological growth.

The inaugural AIPLA delegation to the UAE represents an important milestone in strengthening collaboration between the global IP community and stakeholders across the Middle East. With its strong policy vision, growing research ecosystem, and supportive legal framework, the UAE continues to emerge as a significant center for technology, investment, and intellectual property development.

The delegation was complemented by several networking events and receptions hosted by distinguished organizations and sponsors. Special thanks are due to Gowling WLG, NYU Abu Dhabi, UTPS, and CWB Limited for hosting excellent receptions that facilitated informal exchanges among delegates and local stakeholders. The closing dinner hosted by CWB Limited was particularly memorable and reflected the warm hospitality extended to the delegation.

Overall, the visit provided a meaningful opportunity to engage with policymakers, academics, and practitioners who are actively shaping the future of innovation policy in the region. The discussions clearly demonstrated that the UAE's commitment to innovation and intellectual property development is both strategic and genuine

IP UPDATES

AFRICA:
ARIPO – AMENDMENTS TO THE BANJUL PROTOCOL ON MARKS

The African Regional Intellectual Property Organization (ARIPO) has approved significant amendments to the Banjul Protocol on Marks, along with changes to its Implementing Regulations, official forms, and fee schedule. These amendments were announced by the Director General of ARIPO and will take effect on 1 March 2026.

The revised framework will apply to both newly filed and existing trademark applications and registrations, where relevant. The objective of these changes is to introduce clearer procedures, reorganize the regulations for better usability, and enhance the overall efficiency of the ARIPO trademark system.

Increase in Official Fees

A key change under the amendments is the increase in official fees. From March 2026 onwards, applicants should expect higher costs for trademark applications, renewals, recordals, and other related procedures under the ARIPO system.

ARIPO has clarified that the revised fee structure is intended to strengthen administrative resources and improve service delivery across its regional filing system.

See the below table for some of the fee increments:

Fee Type	New 2026 Fee (US$)	Previous Fee (2023)
Application (Paper filing)	$200	$100
Application (Electronic filing)	$160	$80
Designation (per state, add. class)	$20	$10
Registration (per state, 1st class)	$150	$100
Renewal (per state, 1st class)	$200	$100
Extra Word Fee (after 50 words)	$10	$5

Updated Regulations and Filing Forms

The amendments introduce revised Implementing Regulations and new prescribed forms. Electronic filing has been further formalized, with specific reference to ARIPO's online filing platform and required filing formats.

All applicants must use the updated 2026 edition forms for any filing under the Banjul Protocol. These updates are designed to promote uniformity, transparency, and smoother administrative processes.

Procedural and Substantive Changes

1. Reduced Refusal Timeline: The time limit for a designated state to issue a refusal has been reduced from nine months to six months from the date of notification. This adjustment is expected to speed up examination and prosecution timelines.

2. Exhibition Priority: The 2026 amendments formally recognize exhibition priority. Applicants can now claim a six-month priority period for trademarks displayed at officially recognized international exhibitions, provided all requirements are fulfilled.

3. Clearer Time Computation Rules: The revised Regulations now provide detailed guidance on how deadlines expressed in years, months, weeks, or days must be calculated. This replaces the earlier limited framework and improves predictability in procedural matters.

4. Opposition Proceedings: Opposition provisions have been reorganized and clarified. Any interested party may file an opposition after publication in the ARIPO Marks Journal but before registration.

Key aspects include:

- Oppositions must be filed with ARIPO, which then forwards them to the applicant and designated states.
- A new transmittal fee applies.
- Opposition proceedings are governed by the national laws of the designated states.
- Decisions affect registration only in the states where opposition is filed.
- Parties may resolve disputes through Alternative Dispute Resolution in accordance with national laws.

5. Language of Proceedings: For the first time, the Regulations clearly confirm that English is the official language for proceedings before ARIPO.

Effect on Pending and Existing Applications

The amendments apply not only to future applications but also, where applicable, to pending matters and existing registrations. Trademark owners with ongoing filings should carefully review the new timelines, procedural requirements, and revised fee structure.

Practical Guidance for Brand Owners

Brand owners are advised to:

- Review the amended Banjul Protocol and Regulations before 1 March 2026;
- Adjust budgets to account for increased official fees; and
- Seek professional advice to understand how the changes may affect existing portfolios and filing strategies in ARIPO member states.

Overall, the 2026 reforms improve clarity, modernize procedures, and align the ARIPO system more closely with international standards.

SOMALIA:
STRENGTHENING ITS IP FRAMEWORK

Somalia continues to rebuild and formalize its intellectual property system. A Ministerial Decision dated 30 September 2025 introduced official fees for several additional procedures, including renewals, assignments, changes of name or address, and oppositions. The Decision came into force in November 2025.

Fees have also been introduced for patent and industrial design registrations, indicating broader administrative development beyond trademarks.

Although trademark procedures were officially reinstated in 2019, practical filing only became possible from 2021. The Trademark Office now examines, publishes, registers, and issues certificates for trademark applications.

With clearer procedures and structured fees in place, Somalia is gradually becoming part of regional IP filing strategies rather than being viewed as an uncertain jurisdiction.

UAE:
NEW LAW ON PLANT VARIETY PROTECTION

The United Arab Emirates has enacted Federal Law No. 8 of 2025 concerning the Protection of New Plant Varieties, replacing earlier legislation from 2009. The law aligns the country with international UPOV standards and establishes a National Register under the Ministry of Climate Change and Environment. Breeders may obtain protection for 20 years for most plant varieties and 25 years for trees and vines, provided the varieties meet requirements of novelty, distinctness, uniformity, and stability. The law also strengthens enforcement, introducing administrative fines and potential imprisonment, with penalties reaching AED 250,000 for infringement.

ZAMBIA:
TRADEMARKS ACT NO. 11 OF 2023

Zambia's new Trade Marks Act No. 11 of 2023 came fully into force on 31 December 2025, replacing the previous 1958 legislation.

Key updates include:

- Formal recognition of service marks (Classes 35–45);
- A standardized 10-year term for registration and renewal from the filing date; and
- Expanded protection for non-traditional marks such as sounds, smells, and geographical indications.

This reform modernizes Zambia's trademark regime and broadens the scope of protectable subject matter.

NEPAL:
RE-FILING OF PATENT AND DESIGN APPLICATIONS

Following an incident in September 2025 involving fire and vandalism at the Industrial Property Branch, the Department of Industry in Nepal lost several physical IP records.

Applicants with pending patent and design filings or renewals submitted before September 2025 must submit duplicate files to reconstruct the lost records.

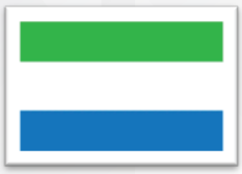
The notice was issued on 14 January 2026, and all re-filings must be completed by 12 April 2026.

SUDAN:
RESUMPTION OF TRADEMARK SERVICES

The Sudan Trademark Office has returned to its headquarters in Khartoum after temporarily operating from Port Sudan. While back in its original location, it continues to apply certain temporary procedures established during the transition period.

Deadlines that expired during the relocation have been extended to the first full working day of operations, which is 1 February 2026.

SIERRA LEONE:
SIERRA LEONE'S TRADEMARKS REGULATIONS, 2024



Sierra Leone's Trade Marks Regulations, 2024, are now in force. The Regulations provide a detailed procedural framework governing trademark practice before the Registry.

Key Developments

- Mandatory use of prescribed statutory forms for all trademark procedures.
- Clearly defined timelines for prosecution, opposition, renewal, reinstatement, and cancellation.
- Clarified procedures for Madrid Protocol designations.
- Revised fee schedule, with higher fees for foreign applicants (payable in USD) compared to national applicants.

While the reforms improve legal certainty and alignment with international practice, strict procedural compliance is essential.

QATAR :
ADOPTION OF THE NICE CLASSIFICATION (13TH EDITION)

On 16 February 2026, the Ministry of Commerce and Industry in Qatar officially adopted the 13th Edition of the Nice Classification for trademark applications. All new filings must comply with the updated classification and use the approved terminology. Non-compliant applications will be returned for correction.

LIBYA :
MANDATORY TEN-YEAR TRADEMARK RENEWALS

The Libyan Trademark Office has confirmed that renewals must now be filed strictly for the full statutory period of ten years, in accordance with Article 1257 and Decree No. 586 of 2024.

Annual renewals are no longer permitted. The official renewal fee is USD 20,000 per trademark per class for the ten-year period. Applicants who previously renewed for shorter periods must file additional renewals to complete the ten-year term.

JORDAN AND LEBANON :
ADOPTION OF NICE 13TH EDITION

As of 27 January 2026, Jordan has implemented the 13th Edition of the Nice Classification for all new trademark filings. Lebanon has also adopted the 13th Edition; however, implementation details and fee adjustments are pending due to internal administrative review and public sector disruptions.

TANZANIA :
RECORDAL RESTRICTED TO NATIONAL REGISTRATIONS

From 26 January 2026, the Tanzania Fair Competition Commission will only accept trademark recordals based on national registrations issued by BRELA. International registrations and ARIPO-based registrations are no longer accepted for recordal purposes. This change follows a Court of Appeal ruling confirming that ARIPO registrations are not enforceable in mainland Tanzania. Brand owners relying on ARIPO or international designations are advised to file national applications in Tanzania to ensure enforceability.

SOUTH SUDAN :
SIMPLIFIED TRADEMARK RESERVATION PROCEDURE

South Sudan has simplified its trademark reservation process. A scanned, signed, and sealed copy of a Power of Attorney is now sufficient. Submission of a notarized or original physical POA is no longer required.

IRAN :

NON-OBEDIENCE REQUESTS IN TRADEMARK OPPOSITION

In Iran, after an opposition is filed, the applicant has 40 days to submit a counterstatement. If the applicant refuses to accept the opposition but fails to file a counterstatement, the opponent must submit a formal non-obedience request within 40 days. This request transfers the matter to a commission for final decision under Article 104 of the Industrial Property Protection Law.

PATENT CASES

YANGTZE MEMORY TECHNOLOGIE CO LTD (Petitioner) Vs UNION OF INDIA & ANR. (Respondents)

CASE NO.: W.P.(C)-IPD 10/2025
DECIDED ON: 05th February, 2026

In the present case, the petitioner filed a writ petition against the grant order of their patent application which closed an opportunity to file a divisional application.

The petitioner sent an email to the respondent explaining the circumstances of not being able to file divisional application and also made a detailed representation seeking re-opening of the window for filing the divisional application. However, the respondent stated that due to insufficient provisions, procedures, and IT infrastructure, they won't be able to accept the divisional application. The respondent countered that the petitioner had ample of opportunities to file a request for divisional application before the said application was proceeded to grant. The petitioner initially had no intent to file divisional application before granting the patent. The respondent states that the patent act do not permit post-grant division of application nor is there any exercise of discretionary power by the Controller.

The Hon'ble Delhi High Court observed and stated that the divisional application is to be filed before the grant of the parent application and therefore the petitioner contending violation of the principle of natural justice is invalid. As per section 43, when a patent application satisfies all the objection, the application must expeditiously proceed towards grant and there is no provision to communicate a notice to the applicant indicating grant of their patent before granting the same. The Hon'ble Court concluded by dismissing the present petition.

UPL LIMITED (Appellant) Vs HARYANA PESTICIDES MANUFACTURES ASSOCIATION & ANR. (Respondent)

CASE NO.: IPDPTA No.116 of 2023
DECIDED ON: 05th February, 2026

The appellant filed an appeal for rejecting appellant's patent application based on the pre-grant opposition filed by the respondent no. 1 under section 25(1) of the Act. The appellant argued that the respondent 2(Controller) failed to deal with the prior art cited by the respondent 1 during the pre-grant opposition yet rejected the invention on the ground of lack of inventive step. The appellant further argued that the respondent 2 also failed to provide two separate hearing for section 14 and 25(1) before passing the impugned order. The respondent 2 countered that the impugned order is adequately reasoned and no separate hearing was necessary. Further, the respondent 1 states that the appellant's invention is mere admixtures of known ingredients resulting in obvious aggregation and no synergistic effect.

The Hon'ble Calcutta High Court observed the following matter that there has been serious procedural infirmity while passing the impugned order. As separate hearing under section 14 and 25(1) should have been granted to the appellant, since the objection raised in the FER and pre-grant opposition were different. Also, the impugned order do not specifically indicate the portion of the order dealing with exactly which section. Therefore, on the ground of procedural infirmity and violation of the principles of natural justice, the Hon'ble Court directed to remand the matter for fresh hearing

JFC STEEL CORPORATION (Petitioner) Vs THE CONTROLLER OF PATENTS & DESIGNS (Respondent)

CASE NO.: COMMERCIAL MISCELLANEOUS PETITION NO.52 OF 2025
DECIDED ON: 03rd February, 2026

The petitioner filed a petition challenging the impugned order passed by the respondent refusing the petitioner's patent application. The petitioner alleged that the respondent failed to examine the said application's novelty or inventive step and rejected solely on the ground of non-compliance with Section 10(4) of the Patents Act, 1970.

The Hon'ble Bombay High Court analyzed the matter and noted that the impugned order lacks findings on the aspect of novelty or inventive step. And the respondent rejected the application entirely on the basis of failure to meet the requirement of sufficiency of disclosure under Section 10(4) of the Patents Act, 1970. The Hon'ble Court observed the inadequacy of the reasoning in the impugned order. Therefore, the Hon'ble Court concluded that the impugned order cannot be sustained and directed for fresh consideration of the said application by a different Controller.

M/S CORAL DRUGS PRIVATE LIMITED (Appellant) Vs THE ASSISTANT CONTROLLER OF PATENTS AND DESIGNS AND ANR (Respondents)

CASE NO.: C.A.(COMM.IPD-PAT) 20/2023 & I.A. 13519/2023
DECIDED ON: 29th January, 2026

The appellant filed an appeal against an impugned order passed by the respondents for refusing the appellant's patent application on the ground of lack of inventive step under section 25(1) (e) of the Patents Act, 1970. The appellant submitted an affidavit of appellant's representative along with the annexure A(amended claims) which was taken on record and the same were furnished before the respondent 1 and respondent 2(pre grant opponent) to seek instruction on whether they have any objection. The respondent 1 and 2 jointly state that they would have no objection if the Hon'ble Court accepted the amended claims in terms of annexure A as submitted by the appellant.

The Hon'ble Delhi Court observed that as proposed by the appellant, deletion of claims would not constitute an amendment contrary to section 59 as it narrows the scope of the claims without introducing any new matter. The Hon'ble Court further stated that the auxiliary claims are not broadening the scope of the earlier claims and therefore it complies with section 58(1) and 59 of the Patents Act, 1970. The Hon'ble Court concluded by accepting the auxiliary claims and remanding the matter for a de novo consideration confined to the amended claims.

FRESENIUS KABI ONCOLOGY LTD (Appellant) Vs THE ASST CONTROLLER OF PATENTS AND DESIGNS (Respondent)

CASE NO.: C.A.(COMM.IPD-PAT) 91/2024
DECIDED ON: 23rd January, 2026

The appellant has filed an appeal challenging the impugned order passed by the respondent for refusing the appellant's divisional patent application. The respondent has passed the impugned order solely under the ground that the application lacks merit and do not meet the requirement of section 16 of the Patents Act, 1970, as the parent application having same technical features has been refused by the Patent Office. The appellant argued that the respondent has *illegally and arbitrarily* refused the said patent. The respondent accordingly countered the appellant's submission and supported the impugned order.

The Hon'ble Delhi High Court observed that the parent application has been granted during the pendency of this appeal. Therefore, the reason given for the rejection of the divisional patent application is no longer valid. The Hon'ble Court concluded by disposing the appeal and directing the respondent to reconsider and reexamine the said divisional patent application.

INCYTE HOLDINGS CORPORATION & ORS.

(Plaintiffs) Vs INTAS PHARMACEUTICALS LTD

(Defendant)

CASE NO.: CS(COMM) 67/2026, I.As. 1977/2026, 1978/2026, 1979/2026, 1980/2026, 1981/2026 & 1982/2026
DECIDED ON: 23rd January, 2026

In the present case, the plaintiff restricted the defendant from infringing plaintiff's patent application. The plaintiff submits that the defendant is listed as a supplier of "Ruxolitinib" on a third part website. Even though the defendant has not yet launched the product in the market, but they might launch "Ruxolitinib" infringing the plaintiff's patented compound. The defendant clarified that they have no intent on commercializing any product containing "Ruxolitinib" during the validity of the said patent but reserve their right to use it for research.

The Hon'ble Delhi High Court accepted the defendant's undertaking binding to use the "Ruxolitinib" for research purpose only and not commercially manufacture launch, import, export or deal the patent compound. The Hon'ble Court concluded by disposing the present suit and directing the registry to refund 50% court fees in plaintiff's favour.

NIPPON STEEL CORPORATION (Appellant) Vs THE CONTROLLER OF PATENTS (Respondent)

CASE NO.: C.A.(COMM.IPD-PAT) 10/2025
DECIDED ON: 24th December, 2025

The appellant filed the present appeal against the respondent for rejecting the appellant's patent application, failing to meet the requirements under section 7(2), 6(1)(b) and 6(1)(c) of the Act. The appellant states that they had filed the declaration in Form 1 along with the Employer-Employee (EE) agreement as a proof of right highlighting transfer of IPR during the tenure of employment with the appellant. Therefore, the documents filed satisfies the statutory obligations under Section 7(2) of the Act. The appellant argued that Section 6(1)(c) is inapplicable, relating to legal representatives of a deceased person, since the employee's Intellectual Property Rights (IPR) is vested in the company under the EE agreement. Under Section 6(1)(b), the Appellant is entitled to apply for the patent. The respondent states that the appellant failed to inform the Delhi Patent Office about the demise of the inventor till the hearing and they also failed to file the death certificate in respect of the same. Further, the respondent countered that the appellant failed to provide valid proof of right or assignment, therefore the objections raised under Sections 6(1)(b), 6(1)(c) and 7(2) of the Act is correct.

The Hon'ble Delhi High Court analyzed the matter and stated that the employment agreement between the employer and employee, which is also signed by the deceased inventor is an acceptable document to comply with requirement under section 7(2). The Hon'ble Court further states that respondent's observation in the impugned order is incorrect. The Hon'ble Court allowed the present appeal and set aside the impugned order and directed the respondent to grant the subject patent.

EDWARD CHARLES TROPPI SMYTHE (Petitioner(s)) Vs 1. THE CONTROLLER GENERAL OF PATENTS DESIGNS AND TRADE MARKS 2.JOINT CONTROLLER OF PATENTS AND DESIGNS AND 3.UNION OF INDIA (Respondent(s))

CASE NO.: WP (IPD) No. 12 of 2025
DECIDED ON: 18th December, 2025

The petitioner filed a writ petition for directing the respondent to accept and process the petitioner's request for examination. The petitioner states that the Indian patent agent errored while calculating the deadline for filing the request for examination, due to which the time period to file the request was lapsed and the petitioner's application got abandoned. The petitioner further states they shouldn't be deprived of pursuing the patent application because of the mistake caused by their Indian Patent agent.

The Hon'ble Madras High Court considered the nature of the petitioner's invention and also the fact that they did not intend to abandon the patent application. Hence, the Hon'ble Court allowed the writ petition and directed the respondent to accept the petitioner's request for examination and process their patent application.

TRADEMARK CASES

7–ELEVEN, INC. (Appellant) vs RAVI FOODS PRIVATE LIMITED & ORS (Respondents)

CASE NO.: (T) CMA (TM) NOs.110&157 of 2023
DECIDED ON: 11th February 2026

In the present appeals the appellant challenged the order of the Deputy Registrar of Trade Marks dated 18.07.2014 concerning registration of the mark **"Big Bite"**. The appellant, operating the global convenience store chain under the **"7–Eleven"** brand, claimed prior international adoption and continuous use of the **"Big Bite"** mark since 1988 and sought registration in India. It was contended that the respondents had adopted the identical mark in 2004 with mala fide intention to ride upon the appellant's international goodwill. The third respondent asserted prior use in India and relied upon continuous commercial sales since 2004.

The Hon'ble Madras High Court observed that while trans-border reputation is recognized in law, the appellant failed to establish actual confusion in India despite the respondent's long-standing use. Relying on the principles laid down in Toyota Prius and other precedents, the Hon'ble Court held that prior user in India carries significant evidentiary weight. Accordingly, the appeals were dismissed, and the Registrar's order was upheld.

SATYA PAUL (Petitioner) vs ALKA INDUSTRIAL CORPORATION AND ANR.(Respondents)

CASE NO.: C.O. (COMM.IPD-TM) 651/2022
DECIDED ON: 9th February 2026

In the present petition the petitioner sought cancellation of the registered mark **"AiC ARUN"** in Class 7. The petitioner claimed prior adoption and long-standing registration of the mark **"ARUN"** since 1962 in respect of sewing machines and allied goods. It was contended that the impugned mark was deceptively similar, with **"ARUN"** constituting the dominant and essential feature. The addition of the prefix **"AiC"** was argued to be insufficient to distinguish the marks. The respondents contended that **"ARUN"** was a common personal name and publici juris, and that the composite mark was structurally different.

The Hon'ble Delhi High Court observed that the petitioner had established extensive goodwill, continuous use, and valid subsisting registrations. Applying to the test of deceptive similarity and likelihood of confusion, the Hon'ble Court held that the dominant part of the impugned mark was identical to the petitioner's mark. The Hon'ble Court concluded that the registration was wrongly remaining in the Register and was liable to be removed. Accordingly, the rectification petition was allowed.

THUKRAL MECHANICAL WORKS (Appellant) vs PM DIESELS PRIVATE LIMITED & ANR. (Respondents)

CASE NO.: LPA 320/2024, CM APPL. 23753/2024
DECIDED ON: 6th February 2026

In the present appeal, the appellant challenged the long-standing trade mark war with respondent. The dispute concerning the mark **"FIELD MARSHAL / FIELDMARSHAL"** in respect of centrifugal pumps and allied goods under class 7. The dispute arose between appellant, claiming rights through assignment from *Jain Industries* (previous registered proprietor since 1965), and respondent, which had been using the mark since early 1960's for diesel engines and later in 1975 for centrifugal pumps.

The appellant contended that being the assignee of registered trade mark, it was entitled to statutory exclusivity and to restrain the respondent from use of the impugned mark. The respondent, on the other hand, asserted prior user rights and long-standing goodwill in the mark, arguing that registration without bona fide use could not defeat its superior common law rights. The crucial issue before the Hon'ble Court was, whether statutory rights arising from registration could prevail over prior user rights acquired through continuous commercial use and goodwill. The matter involved rectification proceedings in earlier Hon'ble Supreme Court findings, and parallel suits for infringement and passing off.

The Division Bench identified the controversy as a classic ***"Kerly impasse"*** a situation where a registered proprietor who had not used the mark confronts a prior user who has subsequently built substantial goodwill through commercializing it. The Hon'ble Court also analysed the scope of rectification for non-use, the legal effect of assignment of an unused mark, and the interplay between infringement and passing off claims.

The Hon'ble Delhi High Court recognized respondent as the prior user of the **'FIELDMARSHAL'** mark, it ultimately declined to grant exclusive statutory rights to either party. The appeal was allowed, resulting in dismissal of respondent's registration claims and a position where neither side retained enforceable exclusivity for centrifugal pumps. The judgment provides detailed guidance on conflicts between statutory trademark rights and common law passing off principles.

ALLIED BLENDERS AND DISTILLERS LIMITED (Plaintiff) vs BATRA BREWERIES AND DISTILLERIES PRIVATE LIMITED & ORS (Defendants)

CASE NO.: CS(COMM) 551/2023
DECIDED ON: - 4th February 2026

In the present commercial suit, the plaintiff sought a decree of permanent injunction restraining the defendants from infringing its registered trademark "Officer's Choice" by adopting and using the mark "Principal Choice / Principal Choice Premium Whisky" in respect of alcoholic beverages (Class 33).

The plaintiff contended that "Officer's Choice", adopted in 1988, is a well-known trademark with long-standing and continuous use, extensive registrations and substantial goodwill. The defendants had applied for registration of "Principal Choice Whisky" on a proposed-to-be-used basis however, failed to file a written statement and were proceeded ex parte.

The Hon'ble Delhi High Court held that the plaintiff's mark has acquired distinctiveness and secondary meaning through uninterrupted and extensive use over decades. The impugned mark "Principal Choice" was found to be phonetically, visually, and structurally similar, with "Choice" constituting the dominant and essential feature. The Hon'ble Court noted similarity in overall trade dress and held that the defendants adoption lacked bona fides and was likely to cause confusion and deception among consumers. Accordingly, the suit was decreed, and permanent injunction was granted in favour of the plaintiff.

PARUL RUPARELLA AND ANR. (Appellants) vs CAMME WANG AND ANR. (Respondents)

CASE NO.: APO-IPD/1/2026, IA NO: GA-COM/1/2025
DECIDED ON: 4th February 2026

In the present appeal, the appellants challenged the order refusing interim injunction in a suit concerning the trademark **"PL SUPREME."** The appellants, Indian importers and registered proprietors of the mark in India, alleged infringement by the respondents, who were foreign manufacturers of goods bearing the same mark. The appellants contended that registration conferred exclusive statutory rights under **Sections 28 and 29** of the Trade Marks Act, 1999. The respondents asserted that they were the original manufacturers and prior users of the mark internationally, and that the appellants were merely importers of goods manufactured by them. It was further argued that **Section 30** of the Act provides only a defense to infringement and does not confer proprietary rights upon an importer.

The Hon'ble Calcutta High Court held that trademark ownership ordinarily vests in the first user, and in cases of foreign manufacture, a presumption arises in favour of the manufacturer unless rebutted. The appellants failed to demonstrate independent goodwill or consumer association of the mark with themselves in India. Accordingly, the Hon'ble Court found no *prima facie* case in favour of the appellants and dismissed the appeal

COPYRIGHT CASES

UNION OF EUROPEAN FOOTBALL ASSOCIATIONS (Plaintiff) vs LIVETV.SX & ORS. (Defendants)

CASE NO.: CS(COMM) 106/2026
DECIDED ON: 5th February 2026

In the present suit, the plaintiff seeking protection of its exclusive broadcast and copyright in the UEFA Champions League 2025–26 matches. The plaintiff alleged that the defendants' websites, including **"LIVETV.SX",** were illegally streaming and communicating the matches to the public without authorization, thereby infringing its statutory rights under the Copyright Act, 1957.

The plaintiff argued that it holds exclusive rights to broadcast and commercially exploit the tournament in India and that the defendant websites were rogue platforms engaged in systematic piracy. The defendants did not appear before the Hon'ble Court and were proceeded *ex parte*. The plaintiff further submitted that unauthorized live streaming during an ongoing tournament causes immediate and irreparable financial loss and dilutes the value of exclusive media rights.

The Hon'ble Delhi High Court observed that the defendant websites were prima facie rogue websites engaged in copyright infringement. Considering the urgency and balance of convenience, the Hon'ble Court granted an *ex parte ad interim injunction* restraining the defendants from streaming or communicating the matches to the public and directed domain name registrars and internet service providers to block access to the infringing websites.

JIOSTAR INDIA PRIVATE LIMITED (Plaintiff) vs GHD SPORTS & ORS. (Defendants)

CASE NO.: CS(COMM) 89/2026
DECIDED ON: 30th January 2026

In this present civil suit, the plaintiff seeks protection of its broadcasting and media rights against the defendants who were operating unauthorized streaming platforms under various names. The plaintiff alleged that the defendants were illegally streaming copyrighted sports content and misusing marks associated with the plaintiff's platform, thereby infringing its statutory rights and causing dilution of goodwill.

The plaintiff argued that it holds exclusive rights in relation to the broadcast and digital dissemination of sports content and that the defendants were dishonestly exploiting its content through mobile applications and websites. The defendants did not appear before the Hon'ble Court despite service and were proceeded against *ex parte.*

The Hon'ble Delhi High Court observed that a *prima facie* case of infringement and unlawful streaming was made out. Considering the balance of convenience and irreparable injury, the Hon'ble Court granted interim injunction restraining the Defendants from streaming, reproducing, or communicating the Plaintiff's content to the public, and also directed blocking of the infringing platforms.

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