AUDIRI VOX

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In This Issue

MAJOR REFORM TO THE UAE TRADEMARK FRAMEWORK: WHAT BRAND OWNERS AND PRACTITIONERS MUST KNOW

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In late 2025, the United Arab Emirates introduced a significant reform of its trademark service framework through Cabinet Resolution No. 102 of 2025. The Resolution amends key provisions of Cabinet Resolution No. 20 of 2020 and implements new official fees, faster procedures, additional services, and incentives for specific categories of applicants.

This reform aligns with the UAE's national economic strategy under the "We the UAE 2031" vision, which places strong emphasis on strengthening intellectual property infrastructure as part of the country's goal to support innovation and a knowledge based economy.

According to recent Ministry of Economy data, national and international trademark filings reached 19,957 during the first half of 2025, representing a 129 percent increase over the same period in 2024. This rapid growth has accelerated the need for faster, more efficient, and more accessible IP procedures.

Key Changes Introduced by the Resolution

1. Expedited Examination Route

One of the most notable changes is the introduction of a one day examination service that provides applicants with an examination report within one working day. This service carries an additional fee of AED 2,250 and is especially beneficial for businesses preparing urgent product launches or participating in exhibitions where quick protection is essential.

2. New Service Fees and Formalised Procedures

Several procedures that previously carried no fees or operated without formal structure now have defined charges. These include:

- Appeals against registration refusals or amendment refusals
- Requests for additional evidence during opposition proceedings
- Grievance submissions before the Appeal Committee

In addition, the Resolution formally introduces the option to convert a national UAE trademark application into an international application under the Madrid Protocol. Multi class applications remain subject to per class fees, and the Ministry has clarified that a single fee multi class system will only be available once the new electronic platform is launched.

3. Fee Reductions and Exemptions for SMEs and People of Determination

The Resolution introduces targeted incentives to encourage broader access to the trademark system.

- UAE registered SMEs under the National Program for Small and Medium Sized Enterprises receive a 50 percent reduction in official fees.
- Individuals classified as People of Determination are fully exempt from official trademark fees.

These incentives demonstrate the UAE's commitment to supporting entrepreneurship, accessibility, and inclusive economic participation.

4. Post Registration and Renewal Adjustments

The amendments introduce several changes to post registration procedures. Renewal fees for collective and certification marks have increased, and renewal during the six month grace period after expiration is now subject to higher charges.

The amendments also formalize the ability to appeal refusals to amend a registered logo, addressing a gap that previously existed in the legal framework. New charges have also been introduced for cancellation actions and related appeals.

Implications for Rights Holders and Practitioners
Strategic Planning and Budgeting

The introduction of new fees at various stages of the trademark lifecycle requires applicants to plan more comprehensively for trademark protection costs, including filings, appeals, renewals, and dispute procedures.

Accelerated Timeframes

The one day examination option provides applicants with a fast track route that will be particularly valuable to industries where timing is crucial, such as cosmetics, technology, pharmaceuticals, and FMCG.

Benefits for SMEs

The fee reductions for SMEs allow smaller businesses to secure trademark protection at significantly reduced costs, making the UAE a more accessible jurisdiction for early stage companies.

International Expansion Benefits

The conversion mechanism for Madrid Protocol filings enhances flexibility for applicants who wish to use the UAE as a launching point for broader international protection.

Importance of Diligent Renewal Monitoring

Given the higher fees associated with grace period renewals, applicants must strengthen their internal docketing systems to avoid unnecessary costs.

Implementation Considerations

Although the Resolution officially entered into force on 14 November 2025, the updated electronic platform and full operational guidelines have not yet been released. Applicants should monitor the Ministry of Economy's announcements closely, as further procedural clarification is expected.

Conclusion

Cabinet Resolution No. 102 of 2025 marks an important evolution in the UAE trademark system. By introducing faster examination, clearer procedures, financial incentives, and expanded service options, the UAE continues to position itself as a leading regional hub for intellectual property protection. Rights holders should review their filing strategies, budgeting expectations, and long term brand protection plans in light of these changes.

THE TITAN - LENSKART CASE: WHEN HIDDEN MARKETING BECAME A LEGAL LESSON FOR EVERYONE

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https://gemini.google.com/app

It is hitting below the belt if you misuse the brand, logo, or other identifiers associated with a competitor to promote yourself. Although this can not be done in the physical world, a recent case demonstrated how this could be done in the virtual world.

Virtual world has a visible face and an invisible face. Search engines read both visible data and invisible data and thus can be manipulated to throw up results that ride on the brand of your competitor. Search Engine Optimization can be dangerous. Read below how Lenskart got caught doing this.

In May 2025, the Delhi High Court quietly delivered a judgment that every digital marketer, SEO professional, and brand owner in India should pay attention to. The case *Titan Company Limited v. Lenskart Solutions Private Limited & Anr. [CS(COMM) 589/2025]* wasn't about logos, packaging, or slogans. It was about something buried deep within a website's source code:

HTML meta tags.

What Happened?
Titan Company Limited, owner of iconic brands like

TITAN EYE+ and fastrack

discovered that Lenskart, one of India's largest eyewear platforms, was using Titan's registered trademarks not visibly, but secretly within the **meta tags** of its website, www.lenskart.com

Meta tags are snippets of code that describe a webpage's content to search engines. They are invisible to users but crucial for **SEO**. By embedding Titan's trademarks like **"TITAN"** and **"FASTRACK"** into its meta tags, Lenskart's website could appear in search results when users looked for Titan's products effectively *piggybacking* on Titan's brand reputation to attract clicks.

Titan issued a legal notice on 13 February 2025, demanding that Lenskart remove these references.

When the matter reached the Hon'ble Delhi High Court (CS(COMM) 589/2025), Lenskart admitted the existence of Titan's trademarks in its website's meta tags. However, it claimed that their presence was "inadvertent" and "unintentional". The company informed the Hon'ble Court that it had taken remedial steps to remove all such references and would immediately delete any future occurrences if notified.

Lenskart further clarified that it had ***no intention to infringe*** Titan's marks and did not wish to contest the suit.

The Hon'ble Court's Decision

Justice Amit Bansal, presiding over the case, bound Lenskart to its statement and decreed the suit in Titan's favour on the very first hearing. Since the matter was resolved before formal summons were issued, the Hon'ble Court even waived the court fee for Titan.

While no damages were awarded, the Hon'ble Court's order is an important signal **even non-visible uses of another's registered trademark can amount to infringement** under Section 29 of the Trade Marks Act, 1999.

The Legal Principle: "Initial Interest Confusion"

At the heart of this issue lies the concept of initial interest confusion a doctrine long recognized by courts across the U.S. and Europe. It refers to a situation where a user's attention is initially captured by a misleading use of another's brand name, even if the confusion is cleared up later. The key harm is in **diverting consumer attention unfairly.**

Indian courts, through cases like this, are aligning with international precedent including:

- *Brookfield Communications v. West Coast Entertainment (U.S.)*
- *Playboy Enterprises, Inc. v. Netscape (U.S.)*
- *Google France SARL v. Louis Vuitton Malletier SA (E.U.)*

All of these rulings emphasize that digital trickery whether through keywords, metadata, or ad triggers can still misappropriate a competitor's goodwill.

Why it Matters for the Digital Ecosystem

This wasn't a case of aggressive advertising it was a reminder of ethical boundaries in online marketing. The widespread practice of embedding competitor trademarks in metadata or ad keywords is often seen as a harmless SEO hack. But the *Titan* v. *Lenskart* order shows that Indian courts consider even invisible brand references to be potential infringement.

As brands compete fiercely for visibility online, the temptation to borrow a bit of another's reputation can be strong. Yet, this case sends a clear message:

Borrowing another's trademark might boost your search results for a while, until the only search result left is your name on a court order.

AUDIRI VOX CELEBRATES APPOINTMENT OF THREE OF ITS ATTORNEYS ON INTA COMMITTIES FOR 2026-27

We are delighted to announce that our partners and associates have once again been appointed on the prestigious INTA Committees for the 2026-27 term.

Sarmad Manto, our Managing Partner, who had been serving on the Committees since almost two decades has been appointed on the Parallel Imports Committee as a representative from the UAE.

Divyendu Verma, Our global head of Patents & Designs Department, has been re-appointed as a member of the International Trademark Association (INTA) Designs Committee for the term 2026-2027 starting January 01, 2026.

Abdullah Manto, our Managing Associate, has been appointed on the INTA Anti-counterfeiting Committee for the 2026-27 term.

The INTA Committees play a crucial role in addressing matters related to intellectual property. The committees primarily focus on legal and practical issues associated with protecting intellectual property on a global scale. Members of the INTA Committees work together to champion and safeguard IP rights, promote knowledge sharing, and advocate for policies that strengthen the IP community. These endeavors are in harmony with INTA's broader mission of advancing trademark and intellectual property protection on a global scale.

AUDIRI VOX PARTICIPATES IN THE AIPLA ANNUAL MEETING 2025 IN WASHINGTON, D.C.

Audiri Vox proudly participated in the AIPLA Annual Meeting 2025, held from October 30 to November 1, 2025, in Washington, D.C. The event convened leading intellectual property professionals, policymakers, and industry innovators from across the globe to deliberate on emerging trends and developments shaping the future of intellectual property law.

The Annual Meeting featured a comprehensive program, encompassing plenary sessions, committee meetings, policy discussions, and thematic tracks covering patents, trademarks, industrial designs, copyright, and the interface between artificial intelligence and IP systems.

Leadership at the AIPLA Asia Pacific Committee Meeting

A significant highlight for Audiri Vox this year was the participation of Mr. Divyendu Verma, Global head of Patents & Designs Dept., who chaired the AIPLA Asia Pacific Committee (APC) meeting for the first time. Recently appointed as Vice Chair for the 2025–2027 term, Mr. Verma led a focused discussion on:

a) Strengthening strategic engagement with IP offices and stakeholders across the Asia-Pacific region.

b) Enhancing bilateral collaboration and knowledge exchange between U.S. and Asia-Pacific practitioners.

c) Monitoring policy developments and opportunities in emerging technology sectors.

d) Planning committee initiatives and outreach efforts for upcoming AIPLA programs.

The session witnessed active participation from professionals representing various jurisdictions across the Asia-Pacific, underscoring the committee's pivotal role in fostering cross-border dialogue within the global IP ecosystem.

Key Highlights from the Annual Meeting:

Policy and Legislative Developments:

Insightful sessions addressed current U.S. patent reform efforts, global copyright policy updates, and regulatory responses to AI-driven innovation.

Global Engagement:

Delegates from multiple regions - Asia, Europe, the Middle East, and Latin America - exchanged perspectives on enforcement challenges, protection mechanisms, and harmonization initiatives in IP law.

AI and Innovation Panels:

The program included in-depth discussions on AI inventorship, the ethical use of training data, and the broader economic and legal implications of generative technologies.

Networking and Collaboration Opportunities:

The Annual Meeting served as a valuable forum for Audiri Vox to strengthen existing relationships and explore new partnerships with international counterparts.

AIPLA's Continued Role in Global IP Leadership

The AIPLA Annual Meeting once again reaffirmed the Association's leadership in fostering global dialogue and professional excellence in intellectual property law. For Audiri Vox, participation in this prestigious event - and leadership within the AIPLA Asia Pacific Committee - reflects its sustained commitment to contributing to international thought leadership and advancing the evolution of IP systems worldwide.

IP UPDATES

NEPAL:
DOI ISSUES CRITICAL CLARIFICATION ON TRADEMARK APPLICATIONS (DEC 1, 2025)

The Department of Industry (DOI), Government of Nepal has issued an important clarification on December 1, 2025, regarding the status of trademark applications affected by the destruction of physical records during the Gen-Z movement unrest on September 9, 2025. Several files in the Industrial Property Section were lost due to arson and vandalism, prompting the temporary suspension of earlier trademark notices.

Key Directions Issued:

1. Mandatory re-submission of trademark applications.

All applicants including those who previously filed incomplete applications must re-submit their applications with full documents within 90 days of this notice *(deadline: February 28, 2026)* . Applications pending for more than seven years and not re-submitted within this period will be automatically cancelled.

2. Published trademarks with no opposition.

Applicants whose marks were already published in the Industrial Property Bulletin and faced no oppositions must apply to the Department within six months to collect their registration certificates. Failure to do so will result in cancellation of such applications *(deadline: May31, 2026)* .

This clarification serves as a recovery mechanism for records affected during the civil unrest and aims to restore administrative accuracy in Nepal's trademark system. Stakeholders with pending or recently published marks must act promptly to avoid loss of rights.

KUWAIT:
KUWAIT ISSUES DECREE - LAW NO. 147 OF 2025 ON POWERS OF ATTORNEY

Kuwait has issued Decree-Law No. 147 of 2025, introducing updated rules governing the notarization and duration of powers of attorney.

Under the new law, except for commercial agencies and cases exempted by the Minister of Justice, a power of attorney may only be notarized for a maximum period of five years, unless the parties agree to a shorter term or the authorization ends earlier for any reason. The notarized document must clearly state its expiration date. The expiry of the notarization period does not affect the underlying legal validity of the power of attorney between the parties.

For power of attorney issued before the law takes effect and lacking a specified duration, the decree provides that they will remain valid for two years from the law's effective date, or until they terminate naturally whichever occurs first. This decree-law aims to enhance legal certainty and standardize the regulation of powers of attorney in Kuwait.

MALDIVES:
MALDIVES STRENGTHENS IP FRAMEWORK WITH TRADEMARK ACT (LAW NO. 19/2025)

The Republic of Maldives has significantly advanced its intellectual property (IP) regime with the ratification of the Trademark Act (Law No. 19/2025) by H.E. President Dr. Mohamed Muizzu on November 11, 2025. This milestone marks the nation's first comprehensive legal framework for trademark registration and protection, formally moving away from the long-standing reliance on common law principles and cautionary notices. The Trademark Act will come into force 12 months after its publication in the Government Gazette becoming fully effective on **November 11, 2026.**

Key Features of the Trademark Act

- **First-to-File System**
Trademark ownership will now be determined based on the filing date of the application, aligning the Maldives with global norms and providing greater certainty for rights holders.

- **Regulatory Framework to Follow**
All relevant authorities must issue implementing rules, procedures, and guidelines within six months of the Act's effective date, paving the way for a modern and efficient registration and enforcement system.

- **10-Year Protection with Renewal**
Registered trademarks will receive 10 years of protection, with the option to renew for successive 10-year periods, ensuring long-term brand security.

Companies operating in or entering the Maldivian market should begin planning their trademark strategy now. With a formal registration regime forthcoming, early preparation and timely applications will be crucial to securing exclusive rights and avoiding future conflicts.

UNITED ARAB EMIRATES: MAJOR TRADEMARK REFORMS INTRODUCE ONE-DAY EXAMINATION AND UPDATED FEE STRUCTURE

The Ministry of Economy and Tourism has announced significant reforms to the UAE trademark system under Cabinet Resolution No. (102) of 2025, which replaces the previous Cabinet Resolution No. (20) of 2020. The updated framework came into force on 14 November 2025 and introduces revised fees along with several new trademark services.

Key Highlights of the Reform

The new resolution provides a **50% reduction in trademark fees for SMEs** registered under the National SME Programme and offers a full exemption from trademark service fees for People of Determination. Several notable services have also been introduced, including One-Day Trademark Examination, Temporary Protection for trademarks used at recognised exhibitions and events, and the ability to convert national trademark applications into international registrations under the Madrid Protocol.

The reforms also restructure the appeals and opposition system, introducing official fees for appeals against refusals, amendments, and opposition decisions. Procedures for dispute resolution have been expanded, with new charges for cancellation actions and appeals before the Grievance Committee.

In terms of enforcement, the Ministry has rolled out new mechanisms for evaluating potential trademark infringements and confirmed that multi-class applications will continue to incur per-class fees until the updated e-services platform is launched. Additional adjustments include revised fees for post-registration actions, notably for renewals of certification and collective marks during the grace period. A new process now enables rights holders to appeal refusals to amend registered logos, addressing a previously unresolved procedural gap.

These comprehensive reforms underscore the UAE's commitment to modernizing its intellectual property landscape, enhancing accessibility to trademark services, and supporting innovation across all sectors.

PATENT CASES

SHROFF GEETA (Appellant) vs ASST. CONTROLLER OF PATENTS AND DESIGN (Respondents)

CASE NO.: IPDPTA/88/2023
DECIDED ON: 17th November, 2025

The appellant filed an appeal against the respondent for rejecting their patent application for unethical destruction of human embryos under section 3(b) of the Patent Act. The appellant contended that the impugned order violates the principle of natural justice and clarified that the subject invention do not necessarily destroy embryos. The respondent countered that the claims of the subject patent explicitly involves extracting stem cells from 2–7-day old human embryos an act that is inherently destructive and unethical.

The Hon'ble Calcutta High Court examined the subject patent along with section 3(b) and stated that if the invention disrupts public order or morality or cause serious prejudice to life or health, then such invention cannot be patented. And the present invention involves necessary destructive use of embryos for commercial purposes which is prohibited and inconsistent with national stem cell guidelines. The Hon'ble Court concluded by maintaining the respondent's impugned order and dismissed the present appeal affirming that the invention is non-patentable under section 3(b) of the Patent Act.

TRANS UNION, LLC (Appellant) vs 1. THE CONTROLLER GENERAL OF PATENTS, DESIGNS & TRADEMARKS AND 2. ASSISTANT CONTROLLER OF PATENTS (Respondents)

CASE NO.: (T)CMA(PT) No.159 of 2023
DECIDED ON: 05th November, 2025

The appellant filed an appeal against the respondent for rejecting their patent application solely on the ground of non-patentability under section 3(k) as a *computer programme per se*. The appellant argued that the subject invention includes technical effect by normalizing unstructured data, reducing search time and enabling accurate credit risk. The appellant further stated that the subject invention is not a mere algorithm and must be assessed for technical contribution or effect. The Respondent countered that the claims of the subject invention lacks structural or hardware features and it is just an algorithm implemented software, therefore cannot be patented under section 3(k) of the Patent Act.

The Hon'ble Madras High Court noted that the subject invention provides technical contribution by performing technical steps using processor, search and matching engines. The Hon'ble Court stated that the respondent has wrongfully rejected the subject patent under section 3(k), as it goes beyond a *'computer programme per se'*. The Hon'ble Court by setting aside the impugned order and remanded the matter back for reconsideration.

AB INITIO TECHNOLOGY LLC and A DELAWARE LIMITED LIABILITY COMPANY (Appellant) Vs 1. THE CONTROLLER GENERAL OF PATENTS & DESIGNS AND 2. THE CONTROLLER OF PATENTS (Respondents)

CASE NO.: (T) CMA (PT) No.58 of 2023
DECIDED ON: 04th November, 2025

In the present appeal the appellant challenged the impugned order passed by the respondent for rejecting the appellant's patent application on the ground of lack of novelty and inventive step under section 2(1)(j) and for non-patentability under section 3(k).

The appellant argued that the claimed invention provides a technical effect for data-lineage tracing, and the database management system involving technical considerations and optimal execution of structured queries is not excluded from patentability by section 3(k). The appellant further argued that the claimed invention also clearly differs from the cited prior art. The respondent countered that the claims were software based lacking technical contribution and were anticipated by the cited prior art.

The Hon'ble Madras High Court observed the following matter and performed detailed analysis of section 3(k) referring to Indian, UK and EPO jurisprudence. The Hon'ble Court stated that computer related invention are patentable if it deliver technical contribution even without any hardware. The Hon'ble Court noted that the claimed invention provides technical contribution by resulting in a data relationship diagram representing data lineage consisting of graph and input and output field. Also, the claimed invention satisfies the novelty and inventive step requirements under section 2 (1)(j). The Hon'ble Court concluded by setting aside the impugned order and allowing the appeal, directing the appellant's patent application to proceed towards grant.

TRADEMARK CASES

PAS AGRO FOODS (Petitioner) vs KRBL LIMITED & ORS. (Respondents)

CASE NO : SP.JC NO. 2 OF 2025
DECIDED ON: 27th October 2025

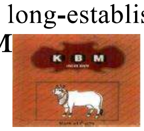
In the present suit the petitioner filed a writ petition under Section 57 of the Trade Marks Act, 1999 seeking rectification and cancellation of the respondent's registered trademark **“INDIA GATE”** used for rice and allied food products.

The Petitioner contended that the mark was generic and descriptive of Indian-origin rice and had been wrongfully monopolized by the Respondent. It was further argued that the registration had lost distinctiveness due to widespread trade usage and that smaller exporters were facing hardship because the Respondent was enforcing the mark by initiating infringement actions before the Hon'ble Delhi High Court.

After hearing the matter, The Hon'ble Kerala High Court held that the writ petition was not maintainable on grounds of territorial jurisdiction. The Hon'ble Court observed that under Section 57 read with Section 125 of the Trade Marks Act, rectification petitions must be filed before the High Court exercising jurisdiction over the Trade Marks Registry where the impugned mark stands registered. Since **“INDIA GATE”** was registered at the Delhi Trade Marks Registry and infringement proceedings concerning the same mark were already pending before The Hon'ble Delhi High Court, only that Court had jurisdiction to entertain the rectification plea. The Hon'ble Court further noted that no validity challenge was pending in the Delhi proceedings, rendering the writ premature.

KBM FOODS PRIVATE LIMITED (Plaintiff) vs AJAY YADAV Trading (Defendant)

CASE NO.: CS(COMM) 1141/2025
DECIDED ON: 17th October 2025

The plaintiff instituted the present commercial suit against defendant alleging infringement and passing off of its long-established spice trademarks, including **“KBM**  **”** the associated logo, and its device mark **“GAI CHAAP”** (Cow).

The plaintiff contended that it has used these marks extensively since 1969 and that the defendant had dishonestly adopted deceptively similar marks such as **"KDM", "GAU CHAAP"**, and a cow device, thereby diluting the Plaintiff's goodwill and misleading consumers. The plaintiff sought an urgent ex-parte ad-interim injunction along with the appointment of a Local Commissioner, expressing concern that the defendant may conceal or dispose of infringing stock. The defendant did not appear.

The Hon'ble Delhi High Court observed that the defendant's adoption of the impugned marks appeared dishonest and intended to ride upon the plaintiff's established reputation. The Hon'ble Court granted the plaintiff exemption from mandatory pre-institution mediation under Section 12A of the Commercial Courts Act and permitted exemption from advance service due to the urgency of the relief sought. The identities of the parties were also allowed to be masked until the Local Commissioner's report was filed, and notice was issued on the application for interim injunction.

GRASIM INDUSTRIES LIMITED & ANR. (Plaintiffs) vs MRIDULA KUMARI TRADING AS M/S SUPERIOR BIRLA ROCK AND CO. (Defendant)

CASE NO.: CS (COMM) 19/2025
DECIDED ON: 17th October 2025

The Plaintiffs filed the present suit alleging that the defendant was infringing and passing off their well-known trademarks by using deceptively similar marks on wall putty and cement products.

The Plaintiffs contended that the defendant was marketing products under names such as **"SUPERIOR BIRLA ROCK"** and **"BIRLA SHINE",** thereby exploiting the Plaintiffs' reputed marks, including **"BIRLA", "BIRLA WHITE", "ULTRATECH",** and **"OPUS"**, along with their distinctive trade dress and copyrighted packaging. It was submitted that such unauthorised use was likely to mislead consumers and dilute the plaintiffs' longstanding goodwill associated with the Aditya Birla Group. During the proceedings, both parties submitted a joint compromise under Order XXIII Rule 3 of the CPC. Upon reviewing the settlement terms, The Hon'ble Delhi High Court recorded that the defendant had unequivocally acknowledged the plaintiffs' exclusive rights in their trademarks and trade dress. The Hon'ble Court passed a decree of permanent injunction restraining the defendant from using the impugned marks and accepted the defendant's undertaking to immediately cease all infringing activities and to change her trading name, thereby bringing the dispute to an end.

ESME CONSUMERS PVT LTD (Plaintiff) vs SURAJ COLLECTION AND ANR (Defendants)

CASE NO.: CS (COMM) 1142/2025
DECIDED ON: 17th October 2025

In the present case, the plaintiff filed a suit seeking a permanent injunction restraining the defendants from infringing its registered trademark, trade dress, and packaging associated with its cosmetic products sold under the marks" Blue Heaven , Blue Heaven **BLUE HEAVEN", "GET BOLD",**

and  related label and bottle designs. The plaintiff contended that they had been manufacturing and selling cosmetics under these marks since 1972 and owned multiple trademark and copyright registrations. It was contended that the defendants had dishonestly adopted identical and deceptively similar marks and trade dress such as

 ,  ,  *and* **COLOUR FASHION GET BOLD"** for eyeliners and other cosmetics, imitating the plaintiff's colour scheme, label, and bottle design. The plaintiff further argued that the defendants' goods were of inferior and unregulated quality, thereby endangering consumers and harming the plaintiff's longstanding market reputation. The defendants did not appear before the Hon'ble Court.

The Hon'ble Delhi High Court observed that the plaintiff had demonstrated long, continuous, and well-recognized use of its marks and distinctive trade dress in the cosmetics industry. The Hon'ble High Court held that the defendants' adoption of nearly identical marks, labels, and packaging was dishonest and intended to mislead consumers by riding upon the plaintiff's established goodwill. The Hon'ble High Court accordingly granted an *ex-parte ad-interim injunction* restraining the Defendants, their agents, and all persons acting on their behalf from manufacturing, selling, or promoting any cosmetic products bearing the impugned marks or any packaging deceptively similar to the plaintiff's trademarks and trade dress.

WOW MOMO FOODS PRIVATE LIMITED (Appellant) vs WOW BURGER & ANR. (Respondents)

CASE NO.: FAO(OS) (COMM) 143/2025 & CM APPL. 59063/2025
DECIDED ON: 16th October 2025

In the following matter the Appellant filed a suit against the Respondents for infringement and passing off, alleging that the Respondents were operating burger outlets using the branding **"WOW BURGER"**, which was deceptively similar to the appellant registered marks **"WOW! MOMO"** and **"WOW! CHINA".**

The Appellant contended that the respondents had copied its colour scheme, trade dress, and overall visual identity, thereby misleading consumers into believing an association with the appellant's chain of quick-service restaurants. The appellant argued that its **"WOW!"**-formative marks had acquired substantial goodwill since 2008. The respondents did not appear before the Hon'ble Delhi High Court despite repeated service.

Upon examining the evidence, the Hon'ble Delhi High Court observed that **"WOW BURGER"** and **"WOW! MOMO"** were visually and phonetically similar, and their use for identical food services created a likelihood of consumer confusion. The Hon'ble Court restrained the respondent from using **"WOW BURGER"** or any mark deceptively similar to the appellant's marks **"WOW! MOMO"** and **"WOW! CHINA"** and directed removal of all infringing branding from physical outlets, online platforms, and delivery apps. The Hon'ble Court concluded that the appellant was entitled to *ex-parte* protection to prevent misuse of its established brand identity.

CROCS INC & ANR. (Plaintiffs) vs SAGAR DOIJODE TRADING AS QUESTSOLE & ORS. (Defendants)

CASE NO.: CS (COMM) 1125/2025
DECIDED ON: 16th October 2025

In the present case, the plaintiffs filed a suit against the defendants seeking a permanent injunction for infringement of their clog footwear and decorative charms known as **"JIBBITZ".**

The Plaintiffs contended that the defendants were manufacturing and selling identical or deceptively similar products under marks such as **"CROCKS", "CROC",** and **"JIBBIT",** thereby infringing plaintiffs' statutory rights and passing off counterfeit goods as genuine plaintiff products. The plaintiffs further argued that the imitation extended to the shape configuration, geometric design patterns, and overall packaging, demonstrating mala fide intent to exploit the plaintiffs' goodwill. The defendants did not appear before the Hon'ble Delhi High Court.

The Hon'ble Delhi High Court observed that the plaintiffs had established a strong *prima facie* case of deliberate and large-scale imitation amounting to infringement across trademarks, designs, and trade dress, in addition to passing off. The Hon'ble Delhi Court granted an *ex-parte ad-interim injunction* restraining the defendants from manufacturing, advertising, or selling footwear and accessories bearing the plaintiffs' registered marks, designs, or any deceptively similar trade dress, and directed removal of infringing listings from online marketplaces and social media platforms.

HERO INVESTCORP PVT LTD AND ANR. (Plaintiff) vs SAKLIN ALIAS PRINCE (Defendant)

CASE NO.: CS (COMM) 1095/2025
DECIDED ON: 10th October 2025

and

In the present case, the plaintiff filed a suit against the defendant for manufacturing and selling counterfeit engine oil bearing plaintiffs 'registered trademark "

"and copying the registered bottle designs covered under Design Nos. 311300 and 311301.

The Plaintiff contended that large-scale counterfeiting was taking place in Delhi and that urgent intervention was necessary to prevent further deception of consumers and dilution of its goodwill. The Plaintiff also sought exemption from pre-litigation mediation and requested the appointment of a Local Commissioner to seize counterfeit material. The Defendant did not appear before the Hon'ble Court. Upon reviewing the material, The Hon'ble Delhi High Court observed that the impugned products reproduced the plaintiffs' mark **"HERO"** and bottle shapes, establishing a clear *prima facie* case of trademark infringement, design infringement, and passing off.

The Hon'ble Delhi High Court restrained the defendant from manufacturing or selling any goods bearing the mark **"HERO"** or using deceptively similar packaging and appointed a Local Commissioner to inspect the premises, seize counterfeit stock, prepare inventory, and take photographs with police assistance. The Hon'ble Delhi High Court therefore protected the plaintiffs' trademark and registered design rights through an *ex-parte ad-interim injunction.*

RECKITT AND COLMAN (OVERSEAS) HYGIENE HOME LIMITED & ORS. (Plaintiffs) vs ASHOK KUMAR(S)/JOHN DOES & ORS. (Defendants)

CASE NO.: CS(COMM) 1079/2025
DECIDED ON: 9th October 2025

The Plaintiffs filed present commercial suit seeking an urgent *ex parte ad-interim injunction* to restrain the defendants from infringing and passing off their well-known trademarks, including

"HARPIC  **", "DETTOL", "LIZOL",** and **"COLIN".** The plaintiffs contended that these brands enjoy decades of continuous use, substantial goodwill, and distinctive trade dress, including registered bottle-shape marks. It was submitted that the plaintiffs are market leaders, with **"HARPIC"** toilet cleaner holding nearly 86.9% market share, and that large-scale infringement would cause irreparable loss and deception among consumers.

The Hon'ble Delhi High Court observed that the suit clearly required urgent interim protection and that any delay caused by pre-institution mediation would defeat the purpose of the relief sought. The Hon'ble Court also permitted the suit to be listed without effecting advance service on the defendants, acknowledging the request for an *ex parte injunction* and the appointment of Local Commissioners. Consequently, the plaint was registered as a commercial suit, summons was issued to the defendants, and the matter was directed to be listed before the Joint Registrar on November 28, 2025, for completion of service and pleadings.

COPYRIGHT CASES

EBC PUBLISHING (P) LTD & ANR. (Plaintiffs) vs RUPA PUBLICATIONS INDIA PRIVATE LIMITED (Defendant)

CASE NO.: CS (COMM) 1034/2025
DECIDED ON: 6th November 2025

The Plaintiffs brought the present suit alleging that the Defendant had adopted an almost identical red-and-black trade dress for its competing edition of the "Pocket Constitution Of India"  resulting in passing off and dilution of the Plaintiffs' well-established publication.

The Plaintiffs submitted that they had been using this distinctive layout for years and had already secured an ex-parte interim injunction. The Defendant sought modification of that order, asserting that its design was independently conceived and arguing that the Plaintiffs had not disclosed all material facts when securing the initial relief.

After hearing the parties, The Hon'ble Delhi High Court noted their willingness to pursue an amicable resolution and referred the dispute to the Delhi High Court Mediation and Conciliation Centre. The Hon'ble Court further directed that the Defendant's application for vacating the injunction be treated as its reply to the Plaintiff's injunction application, and that the Plaintiff's replication serve as a rejoinder. The parties were instructed to complete pleadings and admission-denial formalities before the next hearing scheduled for 17 December 2025, while mediation proceeds simultaneously.

CAPITAL FOODS PRIVATE LIMITED (Plaintiff) vs RAVI PICKLES AND SPICES INDIA PRIVATE LIMITED & ANR. (Defendants)

CASE NO.: CS (COMM) 1173/2025
DECIDED ON: 4th November 2025

The Plaintiff initiated the present suit alleging that the Defendants were manufacturing and selling identical food products under the mark **"SZECHWAN CHUTNEY"**, which was deceptively similar to the Plaintiff's registered trademark **"SCHEZWAN CHUTNEY".**

The Plaintiff submitted that it had conceived and adopted the mark in 2012 and had built substantial reputation and goodwill, supported by revenues of over ₹186 crore and advertising expenditure of ₹15 crore in FY 2024–25. Despite issuance of a legal notice, the Defendants allegedly continued to use similar marks, packaging, and trade dress, resulting in clear consumer confusion. The Defendants did not appear before the Hon'ble Delhi High Court. Upon examining the material, The Hon'ble Court observed that the matter reflected a "triple identity" scenario—identical marks used for identical products through identical trade channels, leaving little doubt of infringement and passing off. The Hon'ble Court found a strong prima facie case and concluded that the balance of convenience favoured the Plaintiff. Accordingly, The Hon'ble Court granted an ex-parte ad-interim injunction restraining the Defendants from using **"SZECHWAN CHUTNEY"** or any deceptively similar mark.

MS. SIDDIQUA BEGUM KHAN (Plaintiff) vs UNION OF INDIA AND OTHERS (Defendants)

CASE NO.: WP 42708 of 2025
DECIDED ON: 4th November 2025

The Petitioner approached The Hon'ble Court seeking to restrain the release of the film **"HAQ"** by the Defendants, alleging that it dramatized and sensationalized the personal life of her late mother, Smt. Shah Bano, without consent. The Petitioner contended that the film contained fabricated content, violated posthumous dignity, and misrepresented events not found in any public record. The Respondents argued that the film was a fictional adaptation inspired by publicly available sources, including the Shah Bano judgment and the book **"Bano: Bharat Ki Beti"**. They further submitted that the film carried a clear disclaimer, was certified by the CBFC, and did not claim to be an authentic biographical portrayal.

After hearing the matter, the Hon'ble Madhya Pradesh High Court held that the right to privacy and reputation is not heritable and extinguishes upon a person's death. The Hon'ble Court observed that the film was presented as dramatized fiction with an explicit disclaimer and that creative liberty permits fictionalization so long as it does not purport to be an authoritative biography. The Hon'ble Court also noted that CBFC certification carries a presumption of validity and that the Petitioner had an effective alternative remedy under Section 5E of the Cinematograph Act, which she failed to pursue. Finding unexplained delay, insufficient pleadings, and absence of any enforceable legal right, The Hon'ble Court dismissed the petition.

SUPARSHVA SWABS INDIA (Plaintiff) vs AGN INTERNATIONAL & ORS. (Defendants)

CASE NO.: FAO (COMM) 253/2023
DECIDED ON: 3rd November 2025

The Plaintiff initiated the present action alleging that the Defendants were manufacturing and selling cotton buds and hygiene products using the identical mark **"TULIP"**, thereby infringing the Plaintiff's registered trademark.

The Plaintiff asserted long-standing use and market recognition in the healthcare and personal care segment and argued that the Defendants' adoption of the identical mark was dishonest and intended to exploit the Plaintiff's goodwill. The Defendants did not contest the proceedings. Upon consideration, the Hon'ble Delhi High Court held that the Defendants' adoption of an identical mark for identical goods established a clear case of infringement and passing off under the Trade Marks Act, 1999. The Hon'ble Court found that the Plaintiff had demonstrated a strong prima facie case and that continued misuse of the mark would cause irreparable harm. Consequently, The Hon'ble Court granted an ex-parte ad-interim injunction restraining the Defendants from using **"TULIP"** or any deceptively similar mark.

EVEREST ENTERTAINMENT LLP (Plaintiff) vs MAHESH VAMAN MANJREKAR AND ORS. (Defendant)

CASE NO.: COMMERCIAL IP L. NO. 32984 OF 2025
DECIDED ON.: 24th October 2025

The Plaintiff initiated the present proceedings seeking an interim injunction to restrain the defendants from releasing their upcoming Marathi film titled **"PUNHA SHIVAJI RAJE BHOSALE".** The Plaintiff, producer of the 2009 film **"MI SHIVAJI RAJE BHOSALE BOLTOY"**, contended that the defendants' film was a blatant and unauthorized sequel amounting to copyright infringement of the plaintiff's script, title, and promotional material. The plaintiff further argued that the defendants' adoption of a nearly identical title and similar thematic elements was intended to mislead viewers and ride upon the goodwill of their earlier film, in which they claimed exclusive derivative rights. The Defendants opposed the relief. After hearing the parties, The Hon'ble Bombay High Court declined to grant interim relief and allowed the release of the defendants' film.

The Hon'ble Bombay High Court observed that the plaintiff had approached the Hon'ble Court with gross and unexplained delay despite knowing of the project since April 2025. The Hon'ble Court further held that the name of Chhatrapati Shivaji Maharaj, whether in full or in any derivative expression cannot be monopolized, as historical figures belong to the public domain. The Hon'ble Court also found no prima facie case of substantial copyright infringement, noting that the two films portrayed distinct themes and that the Marathi expressions relied upon by the plaintiff were common phrases not entitled to copyright protection.

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