



#IPR Judgments March 2025

'BRIMESTONE' Confusion

**Bridgestone Corporation
vs. Merlin Rubber
(MANU/DE/1900/2025)**

The High Court of Delhi held that the defendant's adoption of "BRIMESTONE" was in direct infringement of the plaintiff's registered "BRIDGESTONE" trademark. The Court, finding evidence of passing off, imposed a permanent injunction, awarded damages of Rs. 34,41,240, and ordered that litigation costs be borne by the defendant.



Family Trade Name Dispute

**Ramji Lal Agarwal vs.
Sourav Agarwal
(MANU/WB/0556/2025)**

The High Court of Calcutta determined that the family agreement concerning the use of "Sindharam Sanwamal" was binding. However, as the matter fell under the scope of commercial disputes defined by the Commercial Courts Act, 2015, the suit was dismissed and remanded to the appropriate forum for further proceedings.

Clarification on Patent Remedies

**Macleods Pharmaceuticals
Ltd vs. The Controller of
Patents and Ors.
(MANU/DE/1929/2025)**

The Delhi High Court clarified that the remedies under Sections 107 and 64 of the Patents Act operate independently. In dismissing the review petition, the Court corrected certain factual inaccuracies in the record while affirming the substance of the earlier adverse ruling on the revocation petition.



'UNDEKHI' Piracy Case

**Applause Entertainment
Private Limited vs.
WWW.9XMOVIES.COM.TW and
Ors. (MANU/DE/1970/2025)**

The Delhi High Court found that the defendant websites were engaged in the unauthorized distribution of the plaintiff's copyrighted series "UNDEKHI." A dynamic injunction was granted, authorizing the plaintiff to block further infringing domains and thereby preventing any additional unauthorized dissemination of its content.



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Counterfeit Medical Products

Johnson and Johnson vs. Pritamdas Arora (2025:DHC:1585; MANU/DE/1586/2025)

The Delhi High Court determined that the defendant's marketing of counterfeit medical products under the trademarks "SURGICEL," "ETHICON," and "LIGACLIP" not only infringed the plaintiff's trademark rights but also posed a significant public health risk. The Court issued a permanent injunction, awarded both compensatory and exemplary damages, and sanctioned the destruction of the counterfeit goods.

Evidentiary Oversight in Patent Filing

Milliken and Company vs. Controller of Patents and Designs and Ors. (MANU/DE/1761/2025)

The Delhi High Court held that the Assistant Controller erred in not considering the evidence provided by an employee of the appellant, which addressed the objections raised against the patent application. The matter was remanded for a de novo hearing with directions to issue a detailed, speaking order addressing the overlooked evidence.

Dispute Over 'MANNAT' Trademark

Mannat Group of Hotels Private Limited and Ors. vs. Mannat Dhaba and Ors. (MANU/DE/1796/2025)

The Delhi High Court found that the unauthorized use of the "MANNAT" trademark by the defendants in their restaurant services resulted in substantial consumer confusion and an improper appropriation of the plaintiff's goodwill. With the defendant failing to submit any written statement, the claim was held as admitted, and a permanent injunction was imposed.

'CORAGIN' Similarity Challenge

FMC Corporation Authorised and Ors. vs. Hindustan Fertilizers Private Limited and Ors. (MANU/DE/1713/2025)

The Delhi High Court held that the defendant's use of the mark "CORAGIN," due to its close similarity to the plaintiff's registered "CORAGEN," was likely to mislead consumers and damage the plaintiff's goodwill. A permanent injunction was therefore issued, barring any further unauthorized use of the mark.

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TAJ Marks Infringement

The Indian Hotels Company Limited vs. Gaurav Roy Bhatt and Ors.
(MANU/DE/1714/2025)

After a thorough examination of evidence regarding the widespread recognition of the TAJ marks, the Court decreed that these marks were well-known under the Trade Marks Act, 1999. A permanent injunction was imposed to prevent any infringement or unauthorized use of these marks.



Agricultural Trademark Usage

Jangeer Singh Trading vs. Yogesh Jangid Trading and Ors.
(MANU/DE/1587/2025)

The Delhi High Court examined the bona fide usage of the trademark "JANGID" by the defendant, noting its historical establishment. While declining to grant an interim injunction for passing off, the Court imposed specific conditions on the defendant's use to prevent consumer confusion with the plaintiff's "JANGEER" mark, and reserved the matter for further proceedings.

Sound Recordings License Dispute

Phonographic Performance Limited vs. Azure Hospitality Private Limited and Ors. (2025:DHC:1367; MANU/DE/1351/2025)

The Delhi High Court held that the defendant's use of the plaintiff's copyrighted sound recordings in its restaurants, without obtaining a proper license, amounted to infringement. An interim injunction was granted, relying on the plaintiff's rights as an assignee of public performance rights under Section 30 of the Copyright Act.

Non-Use of 'ZEPTO' Determined

Kiranakart Technologies Private Limited vs. Mohammad Arshad and Ors. (2025:DHC:1500; MANU/DE/1513/2025)

The Delhi High Court held that the defendant failed to demonstrate actual use of the trademark "ZEPTO" for the services claimed. Consequently, the allegations of non-use were upheld, and the Court ordered the removal of the mark from the Register of Trade Marks in accordance with Section 47(1)(b) of the Trade Marks Act, 1999.



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<p>'CHUMS' vs. 'CHARMS' Dispute VST Industries Limited vs. ASD Tobacco Private Limited and Ors. (2025:DHC:1562; MANU/DE/1564/2025)</p>	<p>The Delhi High Court observed that the defendant's registration of "CHUMS" was deceptively similar to the plaintiff's long-established "CHARMS" mark, creating a likelihood of consumer confusion. Accordingly, the registration of "CHUMS" was cancelled, and the Registrar was directed to rectify the Trade Mark Register.</p>
<p>Patent Review in Control Technique</p> <p>Emerson Process Management Power and Water Solutions, Inc. vs. Assistant Controller of Patents and Designs Government of India (MANU/TN/0874/2025)</p>	<p>The Madras High Court set aside the earlier rejection of the patent application for a "Two-Stage Model Predictive Control Technique," holding that the application of the obviousness test under Section 3(k) was flawed. The matter was remanded for reconsideration by an alternative officer with directions to issue a reasoned order.</p>
<p>Divisional Patent Application Reconsidered</p> <p>University College London vs. The Assistant Controller of Patents and Designs and Ors. (MANU/TN/0873/2025)</p>	<p>The Tamil Nadu High Court found that the rejection of the divisional patent application for a delayed release drug formulation was based on an incomplete evaluation of its distinct inventive contribution. The decision was set aside, and the case was remanded for a fresh, comprehensive assessment by a different officer with instructions to render a reasoned order.</p>
<p>Energy Drink Trademark Confusion</p> <p>DS Drinks and Beverages Private Limited vs. Hector Beverages Private Limited (MANU/DE/1715/2025)</p>	<p>The Delhi High Court upheld the interim injunction against DS Drinks, finding that the use of "SWING" in connection with its energy drink was intrinsically linked to the plaintiff's mark "PAPERBOAT SWING" and was likely to mislead consumers. The decision was issued on a prima facie basis pending further trial proceedings.</p>





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<p>Opposition to 'AYURSHAKTI' Restored</p> <p>Smita Naram vs. Registrar of Trademarks and Ors. (MANU/DE/1619/2025)</p>	<p>The Delhi High Court set aside the dismissal of the appellant's opposition to the trademark "AYURSHAKTI" after establishing that the appellant did not receive hearing notices despite dispatch records. The matter was remanded for a fresh hearing with directions to consider the substantive merits of the opposition.</p>
<p>Patent Application Reinstated</p> <p>Ciena Corporation vs. Union of India and Ors. (MANU/DE/1641/2025)</p>	<p>The Delhi High Court held that the abandonment of the patent application, resulting from the patent agent's failure to respond to a First Examination Report, was unjust. Consequently, the abandonment order was set aside, the application restored, and a period of four weeks was granted for the necessary response.</p>



<p>Counterfeit 'AQUAGUARD' Goods Addressed</p> <p>Eureka Forbes Limited vs. Vinod K. and Ors. (MANU/DE/1569/2025)</p>	<p>The Delhi High Court determined that the defendant's sale of counterfeit products under the "AQUAGUARD" mark amounted to both trademark infringement and passing off. In view of the unchallenged evidence, a permanent injunction was issued, and damages along with litigation costs were awarded in favor of the plaintiff.</p>
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<p>Media Copyright Infringement</p> <p>Living Media India Limited and Ors. vs. Telegram FZ LLC and Ors. (MANU/DE/1593/2025)</p>	<p>The Delhi High Court decreed a permanent injunction against the defendant Telegram FZ LLC and associated parties for unauthorized reproduction and distribution of copyrighted materials and trademarks. The defendants' failure to contest the allegations resulted in an order mandating the immediate cessation of all infringing activities.</p>
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Counterfeit Goods and Passing Off

Pioneer Corporation vs. Gaurav Kumar and Ors. (MANU/DE/1594/2025)

Relying on unchallenged evidence, including Local Commissioner reports, the Court issued a decree enjoining the defendants from marketing counterfeit goods under the "PIONEER" marks. In addition, damages and costs were awarded to the plaintiff, thereby reinforcing the protection of established trademark rights.

Patent Appeal on Pyraclostrobin Reassessed

BASF SE vs. Joint Controller of Patents and Designs and Ors. (MANU/WB/0519/2025)

The Calcutta High Court held that delays in processing and an improper application of the obviousness test rendered the rejection of BASF SE's patent application for a new polymorphic form of pyraclostrobin unsustainable. The appeal was allowed and remanded for a fresh hearing within specified timelines.

'STREAX' Infringement Dispute

Hygienic Research Institute Private Limited vs. Chandan and Shah Trading LLP and Ors. (MANU/MH/1392/2025)

The Bombay High Court granted interim relief by restraining the defendants from using the mark "STREAK Street," which was found to be deceptively similar to the plaintiff's "STREAX" trademark. The decision was based on the substantial goodwill established by the plaintiff and the statutory protection available under trademark law.

Patent Novelty Appeal Rejected

Vishal Prafulsingh Solanke and Ors. vs. The Controller of Patent and Designs and Ors. (MANU/MH/1872/2025)

The Court affirmed the rejection of the patent application for a thread-type tamper-evident security seal on the grounds that the invention was anticipated by prior art and lacked the requisite inventive step. Consequently, the appellant's appeal was dismissed in its entirety.

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<p>Domain Name and Passing Off Case</p> <p>Apnetime Tech Private Limited and Ors. vs. Anik Dev Nath and Ors. (MANU/DE/1971/2025)</p>	<p>The Delhi High Court granted summary judgment in favor of the plaintiffs, holding that the defendants' use of domain names closely mirroring the plaintiff's website, together with the misappropriation of the APNA marks, amounted to both copyright infringement and passing off. A permanent injunction was accordingly imposed with relief granted as prayed.</p>
<p>Innovative Feed Method Patent Reinstated</p> <p>Kemin Industries, Inc. vs. The Controller of Patents (MANU/TN/1126/2025)</p>	<p>The Court found that the claimed method, which employed ferulic acid esterase with specific enzymes for animal feed, demonstrated a synergistic effect and met the requirements for inventive step. The earlier rejection was set aside, and the patent application was permitted to proceed toward grant.</p>
<p>Allergy Composition Patent Reconsideration</p> <p>Shaperon Inc. vs. Assistant Controller of Patents and Designs, Government of India, Guindy</p> <p>(MANU/TN/1034/2025)</p>	<p>The Court held that the Assistant Controller's rejection of the patent application for an allergy treatment composition was premature. The decision was set aside and remanded for reconsideration by a different officer, with instructions to issue a detailed, reasoned order within four months without prejudging the merits.</p>

