

#IPR Judgments August 2025

<p>PRIDE is a common word, not anyone's monopoly</p> <p>Pernod Ricard India Private Limited and Ors. vs. Karanveer Singh Chhabra</p> <p>(MANU/SC/1095/2025)</p>	<p>The Supreme Court of India addressed whether Pernod Ricard India Private Limited was entitled to an interim injunction against Karanveer Singh Chhabra for using the trademark "LONDON PRIDE," allegedly infringing on Pernod's trademarks "BLENTERS PRIDE," "IMPERIAL BLUE," and "SEAGRAMS." The Court found no deceptive similarity between the marks, emphasizing that "PRIDE" is a common term in the liquor industry and not exclusively owned by Pernod. The Court upheld the lower courts' decisions, dismissing the appeal and directing the trial court to expedite the main suit's resolution.</p>
<p>Interim protection back for Atyati against Cognizant</p> <p>Atyati Technologies Private Limited vs. Cognizant Technology Solutions U.S. Corporation and Ors.</p> <p>(MANU/MH/5277/2025)</p>	<p>The High Court of Bombay addressed an appeal by Atyati Technologies Private Limited against Cognizant Technology Solutions U.S. Corporation and others, concerning the discontinuation of an ad-interim injunction related to alleged trademark and copyright infringement. The core issue was whether Atyati had suppressed material facts about when it learned of Cognizant's use of the disputed mark. The court found the alleged suppression debatable and not significant enough to warrant discontinuing the injunction. Consequently, the court set aside the June 2024 order discontinuing the injunction and reinstated the March 2024 order, while urging expedited resolution of the interim application.</p>
<p>Online sales give the court local jurisdiction in Polo fight</p> <p>Sushil Kumar T/A Da Polo and Ors. vs. The Polo/Lauren Company L.P.</p> <p>(MANU/DE/6208/2025)</p>	<p>The High Court of Delhi addressed the issue of whether the Commercial Court had jurisdiction to hear a suit filed by The Polo/Lauren Company L.P. against Sushil Kumar T/A Da Polo and others for trademark infringement. The petitioners challenged the Commercial Court's jurisdiction, arguing that no cause of action arose within its territory and that the suit was filed to harass them. The court found that the respondent sufficiently demonstrated a cause of action within the jurisdiction, as the petitioners' interactive website facilitated transactions in the area. The court upheld the Commercial Court's jurisdiction under Section 134 of the Trade Marks Act, dismissing the petition.</p>

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<p>Reckitt blocks rival's bird logo use for now</p> <p>Reckitt Benckiser (India) Private Limited vs. Sauss Home Products Private Limited</p> <p>(MANU/DE/6022/2025)</p>	<p>The High Court of Delhi addressed a dispute between Reckitt Benckiser (India) Private Limited and Sauss Home Products Private Limited regarding trademark and copyright infringement of a bird device mark. The court dismissed Sauss Home Products' application challenging the court's jurisdiction, as Reckitt Benckiser established jurisdiction through evidence of sales in Delhi. The court granted an interim injunction in favor of Reckitt Benckiser, restraining Sauss Home Products from using the contested mark, finding Reckitt Benckiser to be the prior user with established goodwill. The court noted that Sauss Home Products' evidence of prior use was unconvincing and potentially fabricated. The decision referenced the Supreme Court's stance on the superiority of prior user rights and the irrelevance of delay in cases of dishonest adoption.</p>
<p>Title alone is not protected — "LOOTERE" can be used for the web series</p> <p>Sunil vs. Star India Pvt. Ltd. and Ors.</p> <p>(MANU/MH/5122/2025)</p>	<p>The High Court of Bombay addressed the dispute between Sunil and Star India Pvt. Ltd. regarding the use of the title "LOOTERE" for a web series. Sunil claimed ownership of the title based on prior registration and sought to prevent Star India from using it. The court found that copyright does not subsist in mere titles under the Copyright Act, 1957, and that registration with film associations does not create enforceable rights against non-members. The court also noted Sunil's delay in seeking relief and the lack of similarity between the works. Consequently, the application for a temporary injunction was dismissed, allowing the web series to continue streaming.</p>
<p>Flag dispute tossed — no proof of copying or commercial claim</p> <p>G B Pachaiyappan and Ors. vs. Tamilaga Vettri Kazhagam and Ors.</p> <p>(MANU/TN/3360/2025)</p>	<p>The High Court of Madras addressed a dispute between G B Pachaiyappan and others, and Tamilaga Vettri Kazhagam and others, concerning alleged trademark and copyright infringement and passing off related to a flag design. The plaintiffs claimed ownership of a trademark and copyright over a flag used by their trust, asserting that the defendants' similar flag constituted infringement. The court found no substantial copying for copyright infringement and questioned the applicability of trademark law due to the non-commercial nature of the plaintiffs' activities. The court also found insufficient evidence of reputation and goodwill for a passing off claim. Consequently, the applications for interim relief were rejected, with the court clarifying that these findings were tentative and specific to the interim applications.</p>

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The word "DOCTOR" is generic; no confusion found

Vikrant Chemico Industries Pvt Ltd vs. Shri Gopal Engineering and Chemical Works Pvt Ltd and Ors.

(MANU/DE/6104/2025)

The High Court of Delhi addressed a dispute between Vikrant Chemico Industries Pvt Ltd and Shri Gopal Engineering and Chemical Works Pvt Ltd and others, concerning alleged trademark and copyright infringement and passing off related to the "DOCTOR BRAND PHENYLE" and "DOCTOR BRAND GERM TROLL" marks. The court found that it lacked territorial jurisdiction as the plaintiff failed to prove that the defendants' products were sold in Delhi. Additionally, the court determined that no infringement or passing off occurred, as the defendants' marks were sufficiently distinct and the term "DOCTOR" was generic. Consequently, the suit was returned to the plaintiff for lack of jurisdiction, and no relief was granted.



PETKIND clears the mark — Mankind's prior use wins

Mankind Pharma Limited vs. The Registrar of Trade Marks

(MANU/DE/6179/2025)

The High Court of Delhi addressed the appeal by Mankind Pharma Limited against the Registrar of Trade Marks, challenging the refusal to register the mark PETKIND due to its similarity with an existing application by Wellford Pharmaceutical Pvt. Ltd. The court found that Mankind Pharma had established significant prior use and goodwill with its "KIND" family of marks, entitling it to higher protection. The court set aside the refusal, allowing the mark to proceed for advertisement, while noting that any opposition would be decided independently. The appeal was disposed of with instructions for compliance within two months.

"YATRA" is generic for travel services; exclusive claim denied

Yatra Online Limited vs. Mach Conferences and Events Limited

(MANU/DE/6197/2025)

The High Court of Delhi addressed a dispute between Yatra Online Limited and Mach Conferences and Events Limited regarding the alleged infringement of Yatra's trademark by Mach's use of "BOOKMYYATRA" and "BOOKMYYATRA.COM." The court examined whether Yatra could claim exclusive rights over the word "YATRA," which is generic and descriptive of travel services. The court found that Yatra could not monopolize the term "YATRA" due to its generic nature and the disclaimer in its trademark registration. Consequently, the court dismissed Yatra's application for an interim injunction, allowing Mach to use the contested marks.

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<p>Delhi HC allows Nexgen to file extra documents in the footwear dispute</p> <p>Condor Footwear (India) Limited and Ors. vs. Nexgen Footwear Private Limited and Ors.</p> <p>(MANU/DE/6148/2025)</p>	<p>The High Court of Delhi addressed an appeal by Condor Footwear (India) Limited and others against an order allowing Nexgen Footwear Private Limited to file additional documents with their replication in a trademark dispute. The core issue was whether these documents, filed without prior court approval, were permissible under the amended CPC and DHC Rules. The court found the documents to be responsive to the defendants' claims and relevant to the case, thus upholding the Joint Registrar's decision. The appeal was dismissed, allowing defendants to submit additional documents in response within four weeks.</p>
<p>PRO.FITNESS gets a nod – Registrar wrongly split the mark</p> <p>Mensa Brand Technologies Private Limited vs. Registrar of Trade Marks (22.08.2025 – DELHC)</p> <p>(MANU/DE/6203/2025)</p>	<p>The High Court of Delhi addressed the appeal by Mensa Brand Technologies Private Limited against the Registrar of Trade Marks' refusal to register the trademark "PRO.FITNESS" in Class 30, citing lack of distinctiveness under Section 9(1)(a) of the Trade Marks Act, 1999. The court found that the Registrar improperly dissected the trademark into generic parts, ignoring the Anti-Dissection Rule, and failed to consider the mark's overall distinctiveness, including the visual impact of the dot. The court set aside the Registrar's order, directing the advertisement of the trademark in the Trade Marks Journal within two months, and allowed the appeal.</p>
<p>"ROGER" removed for non-use; Jolly Roger succeeds</p> <p>Allied Blenders and Distillers Limited vs. Kulbir Singh and Ors.</p> <p>(MANU/DE/6204/2025)</p>	<p>The High Court of Delhi addressed the issue of whether the trade mark 'ROGER' registered by Kulbir Singh should be removed from the Trade Marks Register due to non-use in Class 33, as claimed by Allied Blenders and Distillers Limited. The court found that the petitioner, having used the 'JOLLY ROGER' mark extensively since 2010, was an aggrieved party under Section 47 of the Trade Marks Act, 1999. The court noted that the respondent failed to contest the petition, and evidence showed non-use of the impugned mark for over five years. Consequently, the court ordered the removal of the 'ROGER' mark from the register, directing the Trade Marks Registry to update its records within four weeks.</p>

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<p>No copying found — 'SPAN' project claim dismissed</p> <p>Champion Project Enterprises and Ors. vs. Union of India and Ors.</p> <p>(MANU/DE/6223/2025)</p>	<p>The High Court of Delhi addressed a dispute where Champion Project Enterprises and others claimed that the Union of India and others unlawfully copied their 'SPAN' project in the form of the 'APAAR ID Project'. The court found no evidence that the 'SPAN' project details were shared with the respondents or that the APAAR ID Project was a copy of it. The petitioners failed to establish copyright infringement, leading the court to dismiss the petition.</p>
<p>Court scolds delays — orders fast track for "Breastone" trademark</p> <p>Nirmala Kabra vs. The Registrar of Trade Marks, (Govt. of India) and Ors.</p> <p>(MANU/RH/0794/2025)</p>	<p>The High Court of Rajasthan addressed the issue of prolonged delays in trademark registration, specifically concerning Nirmala Kabra's application for the trademark 'Breastone', pending since 2010. The court criticized the Registrar of Trade Marks for not adhering to the Trade Mark Rules, 2017, which mandate timely processing of applications. The court emphasized that such delays violate the principles of natural justice and the right to a speedy resolution under Article 21 of the Indian Constitution. Consequently, the court directed the Registrar to decide on Kabra's application within three months and urged a strategy to address the backlog of pending applications. The writ petition was disposed of accordingly.</p>
<p>Patent deemed abandoned — COVID delay not accepted</p> <p>Kylin Sanitary Technology (XIAMEN) Company Limited vs. Union of India and Ors.</p> <p>(MANU/WB/1783/2025)</p>	<p>The High Court of Calcutta addressed whether Kylin Sanitary Technology (XIAMEN) Company Limited's patent application was rightly deemed abandoned by the Deputy Controller of Patents and Designs under Section 21(1) of the Patents Act, 1970, due to non-compliance with mandatory timelines. The petitioner argued that delays were due to COVID-19 and their Indian patent agent's negligence, while the respondent maintained that statutory timelines were violated. The court emphasized the mandatory nature of these timelines and found no justification for the delay, dismissing the writ petition without costs, citing the doctrine of laches and distinguishing the case from European Union Vs. Union of India.</p>



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Interim injunction for Aquestia in valve patent dispute

Aquestia Limited vs. Automat Industries Private Limited and Ors.

(MANU/DE/5595/2025)

The High Court of Delhi addressed a patent infringement dispute between Aquestia Limited and Automat Industries Private Limited and others, focusing on whether Automat's "Hydromat" valves infringed Aquestia's patent for a fluid control valve. The court found that Automat's product likely infringed Aquestia's patent, as the features of the Hydromat valves matched the novel aspects of Aquestia's patent claims. The court rejected Automat's defense that their own patent protected their product, citing precedents that a patent grant does not preclude infringement of another's patent. Consequently, the court granted an interim injunction, restraining Automat from manufacturing or selling the infringing products.

Google's tech claim fails — just a computer program, not patentable

Google LLC (77/2020/Pt/Kol) vs. The Controller of Patents

(MANU/WB/1746/2025)

The High Court of Calcutta addressed whether Google LLC's patent application for a method of labeling visited locations based on contact information was patentable under section 3(k) of the Patents Act, 1970, which excludes algorithms and computer programs per se from patentability. Google argued that their method provided a technical effect beyond a mere algorithm, while the Controller of Patents contended it was a software-implemented business logic without technical advancement. The court found no novel technical implementation or measurable technical contribution in the claimed invention, affirming it as a non-patentable computer program per se. Consequently, the appeal was dismissed, upholding the rejection of the patent application.

Impresario gets a fresh hearing — Registrar did not consider key material

(MANU/DE/5849/2025)

The High Court of Delhi addressed the appeal by Impresario Entertainment and Hospitality Private Limited against the Registrar of Trademarks' decision to reject their trademark application due to alleged similarity with an existing mark. The court found that the Registrar failed to consider the appellant's submissions and documents, including a Joint Memorandum of Compromise, and did not provide a fair hearing, violating principles of natural justice. Consequently, the court set aside the impugned order, remanding the matter for a fresh hearing and decision within six months, ensuring all materials are considered. The appeal was allowed.

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Stage play rights limited in the Disco Dancer row; films left untouched

Shemaroo Entertainment Ltd. vs. Saregama India Limited and Ors.

(MANU/MH/4971/2025)

The High Court of Bombay addressed the dispute between Shemaroo Entertainment Ltd. and Saregama India Limited, among others, regarding the alleged unauthorized adaptation of the film "Disco Dancer" into a stage play. Shemaroo claimed exclusive rights to the film based on an assignment agreement, while Saregama argued they had rights to adapt the film. The court found that the interim relief sought by Shemaroo was specific to the stage play and did not extend to any new film projects by the defendants. The court disposed of the interim application, allowing Shemaroo to amend their pleadings if they wished to pursue further action against the new film. The order was stayed for six weeks.

Mumbai court not the right forum — ARCEE plaint returned for proper place

ARCEE Electronics vs. ARCEEIKA and Ors.

(MANU/MH/5082/2025)

The High Court of Bombay addressed the issue of whether it had territorial jurisdiction to hear a trademark infringement and passing off suit filed by ARCEE Electronics against ARCEEIKA and others. ARCEE Electronics claimed infringement of its registered trademark "ARCEE" by the defendants, who allegedly operated a showroom with a similar name and style. The court found that ARCEE Electronics did not carry on business in Mumbai, nor did any part of the cause of action arise there, as required under Section 134(2) of the Trade Marks Act and Section 20 of the Code of Civil Procedure. Consequently, the court ordered the return of the plaint for filing in the appropriate jurisdiction, allowing the defendants' application under Order VII Rule 10 of the Code.