

# #IPR Judgments May 2025

<p><b>Battle Over a Brew: Who Owns the 'Madras Filter Coffee' Legacy?</b></p> <p>Chidipothu Krishna Murthy vs. Paruchuri Yashwanth Kumar and Ors.</p> <p>(MANU/AP/0711/2025)</p>	<p>The High Court of Andhra Pradesh addressed the dispute between Chidipothu Krishna Murthy and Paruchuri Yashwanth Kumar and others regarding the use of the trademark "Madras Filter Coffee." The core issue was whether the plaintiffs had established a prima facie case of prior use of the trademark since 1978-79, justifying a temporary injunction against the defendants for passing off. The court found that the trial court erred in granting the injunction based on insufficient evidence of prior use, as the plaintiffs failed to provide substantial proof beyond statements in recent partnership deeds. Consequently, the appellate court set aside the trial court's orders granting the temporary injunction, allowing the appeal.</p>
<p><b>Armour vs Armour: When Fitness Brands Fight, Confusion is Key</b></p> <p>Under Armour Inc vs. Anish Agarwal and Ors.</p> <p>(MANU/DE/3797/2025)</p>	<p>The High Court of Delhi addressed the appeal by Under Armour Inc. against Anish Agarwal and others concerning trademark infringement. The core issue was whether the respondents' use of the mark "AERO ARMOUR" infringed Under Armour's trademark "UNDER ARMOUR." The court found that the learned Single Judge erred in not recognizing the likelihood of initial interest confusion and the overall similarity between the marks. The court emphasized that even brief confusion at the initial stage could constitute trademark infringement. Consequently, the court set aside the impugned order and restrained the respondents from using the impugned marks, allowing the appeal in favor of Under Armour Inc.</p>
<p><b>The Curious Case of 'Neha': Whose Name is It Anyway?</b></p> <p>Inder Raj Sahni vs. Neha Herbals Pvt. Ltd. and Ors.</p> <p>(MANU/DE/3510/2025)</p>	<p>The High Court of Delhi addressed a trademark dispute between Inder Raj Sahni and Neha Herbals Pvt. Ltd. over the use of the mark "NEHA" in the personal care sector. The court examined claims of prior use, trademark infringement, and passing off. Neha Herbals, holding valid registrations, claimed continuous use since 1992, while Sahni argued prior use since 1990. The court found Neha Herbals' use credible from 1994 and dismissed Sahni's prior use claim due to lack of evidence. The court ruled against Neha Herbals on infringement and passing off, citing dissimilarity in goods and lack of misrepresentation. The suit and cancellation petitions were dismissed, with parties bearing their own costs.</p>

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## Design or Patent? A Pipe Dispute That Drew the Line

Dura-line India Pvt Ltd vs. Jain Irrigation Systems Ltd.

(MANU/DE/3512/2025)

The High Court of Delhi addressed the dispute between Dura-line India Pvt Ltd and Jain Irrigation Systems Ltd concerning alleged infringement of a patent and design related to a non-metallic pipe assembly with a co-extruded tracer cable. The court examined whether the plaintiff's invention was a genuine technical advance and found that the defendant's products infringed the patent but not the design. The court rejected the defendant's counter-claim challenging the patent's validity, upheld the patent's validity, and ordered the defendant to render accounts of profits earned from the infringing products. The suit was decreed in favor of the plaintiff, with costs to be determined.

## Healthcare Hustle: IPR Violation in the Name of Healing

MS Oxygun Health Pvt Ltd and Ors. vs. Pneumo Care Health Pvt Ltd and Ors.

(MANU/DE/3459/2025)

The High Court of Delhi addressed a dispute between MS Oxygun Health Pvt Ltd and Pneumo Care Health Pvt Ltd, where Pneumo Care alleged trademark and design infringement by Oxygun. The court found that Oxygun had infringed Pneumo Care's registered trademarks HOSPIGRIP and HOSPICUFF, and a registered design, by using identical marks and designs. The Commercial Court had decreed the suit in favor of Pneumo Care, granting a permanent injunction, damages of Rs. 3 lakhs, and other reliefs. The High Court dismissed Oxygun's appeal, upholding the lower court's decision, and emphasized the egregious nature of the infringement, especially given the health sector context.

## Branded but Used: Can You Resell HDDs from the West?


Western Digital Technologies, Inc. and Ors. vs. Hansraj Dugar

(MANU/DE/3444/2025)

The High Court of Delhi addressed a dispute between Western Digital Technologies, Inc. and Hansraj Dugar regarding the importation and sale of hard disk drives (HDDs) bearing Western Digital's trademarks. The core issue was whether the defendant's importation of second-hand HDDs constituted trademark infringement under the Trade Marks Act, 1999. The court, referencing precedents like Kapil Wadhwa v. Samsung Electronics and Daichi International, concluded that the principle of international exhaustion allows for the import and resale of such goods, provided there is full disclosure that they are second-hand and not covered by the original manufacturer's warranty. The court permitted the release of the seized goods to the defendant, subject to conditions, and disposed of the applications accordingly.

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<p><b>A Patent Lost in Translation: When the Controller Misses the Mark</b></p> <p>Taiho Pharmaceutical Co. Ltd. vs. The Controller of Patents</p> <p>(MANU/DE/3472/2025)</p>	<p>The High Court of Delhi addressed the appeal by Taiho Pharmaceutical Co. Ltd. against the Controller of Patents' refusal of their patent application for a piperidine compound, citing lack of inventive step and non-patentability under Sections 2(1)(ja) and 3(d) of the Patents Act, 1970. The court found that the Controller failed to properly identify the 'known substance' in prior art D1, which is crucial for assessing enhanced efficacy under Section 3(d). Consequently, the court set aside the impugned order and remanded the matter for fresh consideration, instructing the Patent Office to provide a fair opportunity for Taiho to respond with efficacy data. The appeal was disposed of with directions for a new hearing.</p>
	<p><b>Purity Under Attack: Counterfeit 'Aquaguard' Sparks Legal Torrent</b></p> <p>Eureka Forbes Limited vs. Nandan Sales and Ors.</p> <p>(MANU/DE/3293/2025)</p> <p>The High Court of Delhi addressed a suit filed by Eureka Forbes Limited against Nandan Sales and others, seeking a permanent injunction to prevent trademark and copyright infringement of its 'AQUAGUARD' and related marks. The court found that defendants 2, 4, 5, 9, 11, and 13 engaged in counterfeiting activities, infringing on Eureka Forbes' trademarks and copyrights, and causing consumer confusion. The court decreed in favor of Eureka Forbes, granting injunctions and awarding damages and costs against the defendants. Settlements were reached with defendants 1, 10, and 12, while the suit was decreed ex parte against the non-appearing defendants.</p>
<p><b>Faith vs. Faith: When Devotion Turns into a Trademark Dispute</b></p> <p>Vishal Gupta and Ors. vs. Rahul Bansal</p> <p>(MANU/DE/3294/2025)</p>	<p>The High Court of Delhi addressed an appeal by Vishal Gupta and others against an order by the District Judge (Commercial Court) that granted an injunction to Rahul Bansal, preventing the appellants from using the trademark OM AMAR SHAKTI, which was deemed deceptively similar to Bansal's unregistered trademark MATA AMAR SHAKTI. The court found a legal error in the original order, as trademark infringement claims require a registered trademark under the Trademarks Act. Acknowledging this, the court set aside the injunction and remanded the case for reconsideration of the passing off claim, instructing the Commercial Court to reassess the application de novo without influence from prior observations, aiming for a decision within two months. The appeal was allowed to this extent, with no costs ordered.</p>



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<p><b>Planet of the Brands: 'Pluto Travels' Claims Its Orbit</b></p> <p>Pluto Travels India Private Limited vs. PTW Holidays Private Limited</p> <p>(MANU/DE/3338/2025)</p>	<p>The High Court of Delhi addressed a trademark infringement dispute between Pluto Travels India Private Limited and PTW Holidays Private Limited. The core issue was whether PTW's use of "PLUTO TOURS" infringed on Pluto Travels' registered trademarks "PLUTO." The court found that Pluto Travels, established in 2004, had prior and continuous use of the "PLUTO" mark, while PTW, incorporated in 2016, failed to justify its adoption of a similar mark. The court granted an interim injunction, restraining PTW from using "PLUTO TOURS" or any similar mark, citing potential confusion and deception among consumers. The case is set for further proceedings on August 7, 2025.</p>
<p><b>Copycat Calcium? When 'Shelcal' Met Its Match on the Shelf</b></p> <p>Torrent Pharmaceuticals Ltd vs. Indorbit Pharmaceuticals P. Ltd. and Ors.</p> <p>(MANU/DE/3339/2025)</p>	<p>The High Court of Delhi addressed a dispute between Torrent Pharmaceuticals Ltd and Indorbit Pharmaceuticals P. Ltd. regarding alleged infringement and passing off of trade dress related to calcium and Vitamin D3 supplements. Torrent claimed that Indorbit's ORBITCAL-500 packaging was deceptively similar to its SHELICAL-500, infringing its copyright and causing public confusion. Despite Indorbit's non-appearance and failure to file a written statement, the court, referencing precedents like Asma Lateef v. Shabbir Ahmad, declined to grant a decree under Order VIII Rule 10 of the CPC, 1908 without evidence and trial, emphasizing the need for Torrent to prove its claims. The case was listed for further proceedings on 07.07.2025.</p>
<p><b>Flora in Danger: Trademark Turf War Over 'FLORASIS' Blooms</b></p> <p>Mankind Pharma Limited vs. Zhejiang Yige Enterprise Management Group Co. Ltd. and Ors.</p> <p>(MANU/DE/3332/2025)</p>	<p>The High Court of Delhi addressed the dispute between Mankind Pharma Limited and Zhejiang Yige Enterprise Management Group Co. Ltd. regarding the registration of the trademark 'FLORASIS' by the latter, which Mankind Pharma opposed due to its similarity to their registered trademark 'FLORA'. The court found that 'FLORASIS' was visually, structurally, and phonetically similar to 'FLORA', likely causing confusion among consumers. The court emphasized the importance of protecting established trademarks, especially in the pharmaceutical sector, and set aside the Deputy Registrar's order, directing the removal of 'FLORASIS' from the trademark register.</p>

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<p><b>Bouncer from the Bench: RCB’s Legal Appeal Hits the Boundary</b></p> <p>Royal Challengers Sports Private Limited vs. Uber India Systems Private Limited and Ors.</p> <p>(MANU/DE/3021/2025)</p>	<p>The High Court of Delhi addressed a dispute between Royal Challengers Sports Private Limited and Uber India Systems Private Limited regarding an advertisement allegedly infringing and disparaging the "Royal Challengers Bengaluru" trademark. The court examined whether the advertisement constituted disparagement or trademark infringement under Section 29(4) of the Trade Marks Act, 1999, and considered the defendants' right to free speech under Article 19 of the Constitution. The court found no prima facie case of disparagement or infringement, noting the advertisement was humorous and did not harm the plaintiff's trademark. Consequently, the application for a temporary injunction was dismissed.</p>
<p><b>A Patent Without Colour? When Herbicide Innovation Met Its Match</b></p> <p>Crystal Crop Protection Limited vs. Safex Chemicals India Limited and Ors.</p> <p>(MANU/DE/3067/2025)</p>	<p>The High Court of Delhi addressed whether the absence of a "dyeing agent or pigment" in Safex Chemicals India Limited's products infringed Crystal Crop Protection Limited's patent. The court found that the dyeing agent was an essential element of the patent, as it enabled visual assessment of the herbicide's effectiveness, a key objective of the invention. Consequently, the court concluded that there was no infringement by equivalence and dismissed the application for an interim injunction. The court directed the defendants to maintain and file accounts of their product sales, with the case set for further proceedings.</p>
<p><b>Fake Fashion Fallout: Calvin Klein Knocks Out Knockoffs</b></p> <p>Calvin Klein Trademark Trust vs. Gurvinder Singh and Ors.</p> <p>(MANU/DE/3266/2025)</p>	<div> <p>The High Court of Delhi addressed a suit filed by Calvin Klein Trademark Trust against Gurvinder Singh and others for trademark and copyright infringement, seeking a permanent injunction and damages. The court found that the defendants were manufacturing and selling counterfeit Calvin Klein products, infringing on the plaintiff's registered trademarks and copyrights. The court decreed in favor of Calvin Klein, granting the injunction and awarding damages and costs against defendants 1, 2, 6, 7, 8, and 10. Defendants 6, 7, and 10 agreed to pay Rs. 50,000 each in settlement, while defendants 1, 2, and 8 were ordered to pay damages due to their non-appearance. The court referenced precedents like Cartier International A.G. v. Gaurav Bhatia and Hindustan Unilever Limited v. Reckitt Benckiser India Limited in its decision.</p>  </div>

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## Diamond Cut Diamond: Brand Fight Ends with Sparkling Verdict

Diamond Modular Pvt.  
Ltd. vs. Vikash Kumar  
and Ors.

(MANU/DE/3255/2025)

The High Court of Delhi addressed the appeal by Diamond Modular Pvt. Ltd. against Vikash Kumar and others, focusing on the alleged trademark infringement of 'DIAMOND' by the respondents' use of 'DIAMOND GOLD'. The court found that the Commercial Court erred in its judgment by misapplying legal standards regarding trademark use and proprietorship. The High Court determined that the appellant's registered trademark was indeed infringed upon due to the deceptive similarity of the marks and the similarity of goods involved. Consequently, the court granted a permanent injunction against the respondents, restraining them from using the 'DIAMOND GOLD' mark, and quashed the previous judgment, allowing the appeal without awarding damages or costs.

## Trademark Trouble: Delhi HC Says No to 'KRB' in Battle Over Brand Confusion

KRB Enterprises and Ors.  
vs. KRBL Limited

(MANU/DE/4000/2025)

The High Court of Delhi addressed the appeal by KRB Enterprises and others against an ad-interim injunction granted to KRBL Limited by the District Judge, restraining the appellants from using the trademark "KRB," which was deemed deceptively similar to KRBL's registered mark. The court found that KRBL had established a prima facie case of trademark infringement and passing off, as the marks were similar and used for identical goods, and the appellants' adoption of the mark was not bona fide. The court dismissed the appeal, upholding the injunction, and noted that the issue of territorial jurisdiction would be determined at trial.

