

#IPR Judgments June 2025

<p>Patent Infringement in Agrochemical Industry:</p> <p>SML Limited vs. Mohan and Company and Ors. (MANU/HP/O971/2025)</p>	<p>The High Court of Himachal Pradesh addressed a dispute between SML Limited and Mohan and Company regarding the alleged infringement of SML's patent for an agricultural composition. The court examined whether the defendants' product, "Aladdin," infringed on SML's patent and if the defendants raised a credible challenge to the patent's validity. The court found that SML demonstrated a prima facie case of infringement and that the defendants' challenge lacked sufficient scientific backing. Consequently, the court confirmed the interim injunction against the defendants, restraining them from infringing the patent, and scheduled further proceedings for July 2025.</p>
<p>Parachute vs. Cocoplus – Trade Dress Battle in FMCG:</p> <p>Marico Limited vs. Zee Hygiene Products Pvt Ltd and Ors. (MANU/MH/3602/2025)</p>	<p>The High Court of Bombay addressed a trademark and copyright infringement dispute between Marico Limited and Zee Hygiene Products Pvt Ltd and others. The core issue was whether Zee's use of the "COCOPLUS" mark and packaging infringed Marico's registered "PARACHUTE" trademarks and trade dress. The court found that Zee's products were deceptively similar to Marico's, copying essential features like color scheme and packaging, and thus constituted infringement. The court granted interim relief to Marico, restraining Zee from using the infringing marks and packaging. The decision referenced precedents on trademark protection and the irrelevance of delay in infringement cases.</p>
<p>Zincovit's Market Presence Challenged by a Lookalike:</p> <p>Apex Laboratories Pvt. Ltd. vs. Knoll Healthcare Pvt. Ltd. (MANU/TN/2419/2025)</p>	<p>The High Court of Madras addressed a dispute between Knoll Healthcare Pvt Ltd and Apex Laboratories Private Limited regarding trademark and copyright infringement. The core issue was whether the trademarks 'ZINCOVIT' and 'ZINOLVITA' were deceptively similar, potentially causing consumer confusion. The court found that 'ZINCOVIT' had acquired distinctiveness over time, and 'ZINOLVITA' was deceptively similar, warranting removal from the trademark register. The court granted a permanent injunction against Knoll Healthcare, allowing them to liquidate existing inventory within four months, and ordered them to pay costs to Apex Laboratories. The court referenced Section 17 of the Trade Marks Act, 1999, and directed the removal of 'ZINOLVITA' from the register.</p>

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Dunlop Trademark Controversy and Procedural Irregularities:

Dunlop International Limited vs. Glorious Investment Limited and Ors. (MANU/WB/1330/2025)

The High Court of Calcutta addressed the dispute between Dunlop International Limited and Glorious Investment Limited regarding the registration of the trademark "Dunlop" in various classes. The court found that the Deputy Registrar of Trademarks had erred in allowing the registration without adequately considering the principles of natural justice and providing sufficient reasoning. The court noted procedural irregularities, including the denial of a fair hearing and the lack of proper examination of alleged fraudulent assignments. Consequently, the court set aside the impugned orders and remanded the matters for reconsideration, directing the respondent authorities to conduct a fresh hearing within three months.

Gold Flake vs. Gold Stag – Cigarette Branding Dispute:

ITC Limited vs. Pravin Kumar and Ors. (MANU/WB/1373/2025)

The High Court of Calcutta addressed a dispute between ITC Limited and Pravin Kumar and others regarding alleged trademark and copyright infringement and passing off related to ITC's "GOLD FLAKE" brand. ITC claimed that the respondents were selling cigarettes under the "GOLD STAG" mark, infringing on ITC's rights. The court found that ITC had a strong prima facie case, noting similarities in trade dress and potential consumer confusion. The court dismissed the respondents' applications to vacate interim orders and revoke dispensation under Section 12A of the Commercial Courts Act, 2015, and granted ITC's application for interim relief, maintaining the restraint orders against the respondents.

Family Dispute Over Legacy Trademark Rights:

C. Krishniah Chetty and Sons Private Limited vs. Deepali Company Private Limited and Ors. (MANU/TN/2379/2025)

The High Court of Madras addressed a dispute between C. Krishniah Chetty & Sons Private Limited and Deepali Company Private Limited regarding the use of the trademark "C.Krishniah Chetty." The core issue was whether Deepali Company could use the mark, given the historical family business ties and a Settlement Agreement that was not implemented. The court found that both parties, as descendants of the founder, had rights to the name but required differentiation to prevent public confusion. The court ordered the trademark entries to be amended to include "Narayan" in parenthesis, ensuring clarity, and dismissed the petition to expunge the marks.

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Two ‘Newgens’, One Trademark – Who Gets the Name?

Newgen It Technologies Limited vs. Newgen Software Technologies Limited
(MANU/DE/4568/2025)

The High Court of Delhi addressed the dispute between Newgen IT Technologies Limited and Newgen Software Technologies Limited, focusing on the alleged trademark infringement by the former. The core issue was whether Newgen IT's use of the "Newgen" mark, similar to Newgen Software's registered trademark, warranted an injunction. The court upheld the District Judge's decision to grant an ex-parte ad-interim injunction, finding that Newgen Software had a prima facie case, with the balance of convenience and potential irreparable harm favoring them. The appeal by Newgen IT was dismissed, with the court emphasizing that the findings were preliminary and would not affect the final trial outcome.



Sanitary Napkin vs. Constipation Medicine – Trademark Overlap Questioned:

RSPL Health Pvt. Ltd. vs. Sun Pharma Laboratories Limited and Ors.
(MANU/DE/4584/2025)

The High Court of Delhi addressed the appeal by RSPL Health Pvt. Ltd. against Sun Pharma Laboratories Limited concerning the use of the trademark "PRUEASE," which RSPL claimed was deceptively similar to its "PRO-EASE" mark. The court found that the products in question—sanitary napkins and constipation relief medicine—were distinct, with different trade channels and no likelihood of consumer confusion. The court upheld the District Judge's decision, denying RSPL's request for an interim injunction, as RSPL failed to demonstrate a prima facie case, balance of convenience, or irreparable harm. The appeal was dismissed, with the court emphasizing that its observations were preliminary and should not influence the trial.

'SOCIAL' Café Trademark Battle in the Hospitality Sector:

Impresario Entertainment and Hospitality Private Limited vs. Social Tribe
(MANU/MH/3466/2025)

The High Court of Bombay addressed a trademark infringement and passing off dispute between Impresario Entertainment and Hospitality Private Limited and Social Tribe. The core issue was whether Social Tribe's use of the trademark "SOCIAL TRIBE" infringed upon Impresario's registered trademark "SOCIAL." The court found that Social Tribe's use of "SOCIAL" was deceptively similar to Impresario's trademark, noting the identical services and color scheme, and concluded that this constituted an infringement. Consequently, the court granted an interim injunction restraining Social Tribe from using the "SOCIAL" trademark or any similar variants, pending the final disposal of the suit.

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<p>Cashew Trademark Violation and Apology – Penalty Reduced:</p> <p>Megha Cashew Pvt. Ltd. vs. B.R. Industries (MANU/MG/O226/2025)</p>	<p>The High Court of Meghalaya addressed the issue of whether Megha Cashew Pvt. Ltd. breached an injunction order by selling products with labels similar to B.R. Industries' registered trademark. The court found that while the breach was not conclusively proven, the appellant's apology indicated a failure to ensure compliance with the injunction. The court deemed the original fine of Rs. 5,00,000 disproportionate and reduced it to Rs. 1.5 Lakhs, the amount already deposited by the appellant. The appeal was closed, allowing the respondent to collect the deposited amount with interest.</p>
<p>GI Application Not Abandoned – Delay Found Justified</p> <p>Ramesh Chandra Sahoo vs. West Bengal State Food Processing and Horticulture Development Corporation Limited and Ors. (MANU/TN/2252/2025)</p>	<p>The High Court of Madras addressed whether Ramesh Chandra Sahoo's rectification application regarding a Geographical Indication (GI) registration should be deemed abandoned under Rule 44(2) of the GI Rules. The court found that the appellant had taken timely action by requesting extensions, which indicated an intention to prosecute rather than abandon the application. The court concluded that the legal fiction of abandonment was not applicable and that the Registrar should have issued a notice under Section 65 of the GI Act. Consequently, the court set aside the impugned order and remanded the matter to the Registrar for reconsideration, allowing the appellant to proceed without additional evidence and instructing the respondents to adduce evidence within two months.</p>
<p>Can Copyright Exist for a Photo of a Registered Design?</p> <p>A. Ruthramoorthy and Ors. vs. P. Moorthy and Ors. (MANU/TN/2309/2025)</p>	<p>The High Court of Madras addressed whether the copyright registration for a photograph titled "ARTISTIC WORK PHOTOGRAPH OF PUMP ASSEMBLY FOR AIR COMPRESSOR" should be expunged due to a prior design registration for the same subject matter. The parties involved were A. Ruthramoorthy and others as petitioners and P. Moorthy and others as respondents. The court reasoned that Section 15 of the Copyright Act prevents copyright from subsisting in designs registered under the Designs Act. However, it concluded that the photograph, as an artistic work, does not qualify as a design under the Designs Act. Consequently, the petition to expunge copyright registration was dismissed, with no further orders as to costs.</p>

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<p>TikTok’s Well-Known Mark Status Denied Due to India Ban:</p> <p>TikTok Limited vs. The Registrar of Trade Marks Mumbai and Ors. (MANU/MH/3333/2025)</p>	<p>The High Court of Bombay addressed the challenge by TikTok Limited against the Assistant Registrar of Trade Marks' decision to refuse the inclusion of TikTok in the list of well-known marks under Rule 124 of the Trade Mark Rules 2017. The core issue was whether the ban on TikTok by the Government of India, due to concerns over sovereignty and data privacy, was a valid reason for refusal. The court found that the Registrar could consider any relevant fact, including the ban, under Section 11(6) of the Trade Marks Act. Consequently, the court dismissed the petition, upholding the Registrar's decision.</p>
<p>PUMA vs. Indiamart – Platform Use of Trademark Examined:</p> <p>Indiamart Intermesh Ltd. vs. PUMA SE (MANU/DE/4521/2025)</p>	<p>The High Court of Delhi addressed the dispute between Indiamart Intermesh Ltd. (IIL) and PUMA SE (PSE) regarding the alleged trademark infringement by IIL's use of "PUMA" in its drop-down menu for sellers on its platform. The court examined whether IIL's actions constituted trademark infringement and if IIL could claim "safe harbor" protection under the Information Technology Act. The court found that IIL's use of the trademark in the registration process did not amount to dishonest business practices and that IIL was not aiding or abetting infringement. However, IIL was directed to take down infringing listings when notified. The court set aside the order restraining IIL from using "PUMA" in its drop-down menu but upheld the requirement for IIL to remove infringing listings upon notification. The appeal was disposed of with these directions.</p>
<p>Design Not Unique – Injunction Denied Over Bottle Shape:</p> <p>Thanseer B and Ors. vs. Deepu (MANU/KE/1929/2025)</p>	<p>The High Court of Kerala addressed the appeal by Thanseer B and others against Deepu concerning the denial of a temporary injunction to prevent Deepu from using a bottle design allegedly similar to that of the appellants' product, "RINBOO." The court found no prima facie evidence that the appellants' bottle design was unique or exclusively theirs, noting that similar designs were common in the market and the design was not registered. The court upheld the trial court's decision to dismiss the application for a temporary injunction, emphasizing that the appellants had not demonstrated a balance of convenience or irreparable injury. The appeal was dismissed, with the trial court instructed to proceed with the suit without being influenced by the observations in this order.</p>



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Delay in Filing Trademark Evidence – Sikkim HC Refuses Relief:

Inbrew Beverages Pvt.
Ltd. vs. Mount
Distilleries Limited
(MANU/SI/0057/2025)

The High Court of Sikkim addressed a dispute between Inbrew Beverages Pvt. Ltd. and Mount Distilleries Limited concerning the filing of additional documents in a trademark infringement case. The court examined whether the Commercial Court erred in rejecting Inbrew's petition to file certified copies of documents after the evidence stage. The court found that Inbrew failed to establish reasonable cause for not disclosing the documents earlier, as required under Order XI Rule 1(5) of the CPC, and noted that the documents were already in their possession. Consequently, the petition was dismissed, with the court emphasizing that the decision does not reflect on the merits of the underlying case.