

#IPR Judgments September 2025

<p>Soft Drink Trademark Clash: Orissa HC Refuses Interim Relief to Devi Krupa</p> <p>Devi Krupa Soft Drinks, Ganjam vs. Jogeswar Beverages</p> <p>(MANU/OR/1058/2025)</p>	<p>The High Court of Orissa addressed the appeal by Devi Krupa Soft Drinks against Jogeswar Beverages, challenging the District Judge's denial of a temporary injunction in a trademark infringement case. The core issue was whether the appellant had established a prima facie case for interim relief against the respondent's use of a similar trademark. The court noted that rectification proceedings regarding the trademark were pending, which precluded a decision on validity at this stage. The court found no error in the District Judge's decision, as the appellant failed to demonstrate a strong prima facie case or likelihood of consumer confusion. Consequently, the appeal was dismissed, and the trial court was instructed to proceed post-rectification.</p>
<p>Crocs Wins: Delhi HC Cancels Confusingly Similar Rival Trademark</p> <p>Crocs INC vs. The Registrar of Trademarks New Delhi and Ors.</p> <p>(MANU/DE/7437/2025)</p>	<p>The High Court of Delhi addressed the issue of whether the trademark registered by Respondent No. 2 was deceptively similar to Crocs INC's trademark 'CROCS', potentially causing consumer confusion. Crocs INC sought cancellation of the registration under Sections 47 and 57 of the Trade Marks Act, 1999. The court found that the impugned mark was indeed deceptively similar to Crocs INC's mark, violating Section 11(1)(b) of the Act, and ordered its removal from the Register of Trade Marks. The Trade Marks Registry was directed to update its records within four weeks.</p>
<p>Patent Rejection Not the End: Aethlon Wins Reconsideration in Delhi HC</p> <p>Aethlon Medical, INC vs. Controller General of Patents, Designs and Trademarks and Ors.</p> <p>(MANU/DE/7435/2025)</p>	<p>The High Court of Delhi addressed the appeal by Aethlon Medical, INC against the Controller General of Patents, Designs and Trademarks, challenging the refusal of a patent application for a medical device under Sections 3(i) and 2(1)(j) of the Patents Act, 1970, citing lack of novelty and non-patentability. The court found that the auxiliary claims proposed by Aethlon, which narrowed the scope of the original claims, were permissible and directed the Controller to reconsider the application in light of these claims. The matter was remanded for a fresh decision within six months, with a hearing granted to Aethlon. The appeal was disposed of with these directions.</p>

#IPR Judgments September 2025

<p>Patent Rejection Overturned: Neeraj Gupta Gets Fresh Hearing on Catheter Device</p> <p>Neeraj Gupta vs. The Controller of Patents and Designs</p> <p>(MANU/DE/7436/2025)</p>	<p>The High Court of Delhi addressed the appeal by Neeraj Gupta against the Controller of Patents and Designs, challenging the rejection of his patent application for an intravenous catheter device due to lack of inventive step. The court found that the Controller failed to adequately compare the claimed invention with prior arts D1 and D2, particularly regarding the valve closure member's novelty and functionality. The court set aside the Controller's orders and remanded the matter for fresh consideration, instructing the Controller to provide a new hearing and decide the application on its merits within six months.</p>
<p>Copycat Branding Stopped: Sandvik Secures Injunction, Bank Accounts Frozen, Damages Awarded</p> <p>Sandvik Intellectual Property AB vs. Bhanwar Lal Dhabhai and Ors.</p> <p>(MANU/DE/7444/2025)</p>	<p>The High Court of Delhi addressed the issue of trademark infringement and passing off involving Sandvik Intellectual Property AB and Bhanwar Lal Dhabhai. Sandvik alleged that Dhabhai was using marks deceptively similar to its registered "SANDVIK" trademark, specifically "ULTRA SANDVIK," for similar goods, thereby infringing on its rights and misleading consumers. The court found that Dhabhai's use of the impugned marks was dishonest and intended to exploit Sandvik's goodwill. Consequently, the court decreed in favor of Sandvik, ordering Dhabhai to cease using the marks, freeze related bank accounts, block associated phone numbers and emails, and pay damages of ₹5,00,000. The court left open the possibility for Sandvik to pursue a declaration of its mark as well-known in future proceedings.</p>
<p>Ex-parte Judgment: Hotels.Com Secures ₹5,00,000 Against Trademark Infringement</p> <p>Hotels.Com, LP vs. Barath M L and Ors.</p> <p>(MANU/DE/7445/2025)</p>	<p>The High Court of Delhi addressed the issue of trademark infringement and passing off involving Hotels.Com, LP and Barath M L and others. The court examined whether the defendants' use of the marks 'HOTELCOM' and a similar logo infringed upon the plaintiff's registered trademark 'HOTELS.COM'. The court found that the defendants' marks were deceptively similar, likely causing consumer confusion and infringing on the plaintiff's trademark rights. The defendants, having failed to appear or contest the suit, were proceeded ex-parte. The court granted a summary judgment in favor of Hotels.Com, LP, issuing a permanent injunction against the defendants and awarding damages and costs of ₹5,00,000. The court referenced precedents supporting the award of damages in ex-parte cases, emphasizing the protection of trademark rights and the prevention of unfair advantage.</p>

#IPR Judgments September 2025



Quia Timet Injunction Vacated: Helsinn Fails to Show Imminent Patent Threat

Helsinn Healthcare SA vs. AET Laboratories Private Limited and Ors.

(MANU/DE/7446/2025)

The High Court of Delhi addressed a dispute between Helsinn Healthcare SA and AET Laboratories Private Limited regarding an alleged patent infringement related to a drug for treating chemotherapy-induced nausea. Helsinn sought a permanent injunction against AET, claiming imminent infringement, while AET contested the court's jurisdiction and the basis for a quia timet action. The court found that Helsinn failed to demonstrate an imminent threat of infringement or establish territorial jurisdiction, leading to the vacation of the interim injunction previously granted. The court dismissed Helsinn's application for an injunction and allowed AET's application to vacate the interim order, with the case listed for further proceedings.



Late WhatsApp Evidence Admitted by Delhi HC with ₹25,000 Cost

Xero Degrees. vs. Frankart Global Private Limited and Ors.

(MANU/DE/7450/2025)

The High Court of Delhi addressed the issue of whether Xero Degrees could file additional documents, specifically WhatsApp communications, in their suit against Frankart Global Private Limited and others. Xero Degrees argued these documents were necessary to counter incomplete evidence presented by the defendants, while the defendants contended the documents were untimely and unjustified. The court found that Xero Degrees met the "reasonable cause" standard under Order XI Rule 1(5) of the CPC, as the documents were relevant and retrieved with difficulty. Consequently, the court allowed the documents to be filed, subject to a cost of ₹25,000 to the defendants, and scheduled further proceedings for January 2026

G4S Wins: "4GS" Found Deceptively Similar, Interim Injunction Confirmed

G4S Limited and Ors. vs. 4Group Safeguard and Security Services Private Limited and Ors.

(MANU/DE/7451/2025)

The High Court of Delhi addressed a trademark infringement dispute between G4S Limited and 4Group Safeguard and Security Services Private Limited, focusing on whether the defendants' use of the marks '4GS' and related trade names infringed on the plaintiffs' registered marks 'G4S'. The court found that the defendants' marks were deceptively similar to the plaintiffs' and that the defendants' defense of using an abbreviation of their registered trade name was invalid under Section 29(5) of the Trade Marks Act. The court confirmed the interim injunction against the defendants, restraining them from using the impugned marks and trade names, and directed them to remove related content from social media, with further proceedings scheduled.

#IPR Judgments September 2025

<p>Authorship vs Performance: AR Rahman Appeals, Court Rules Junior Dagar Brothers Not Composers</p> <p>AR Rahman vs. Ustad Faiyaz Wasifuddin Dagar and Ors.</p> <p>(MANU/DE/7321/2025)</p>	<p>The High Court of Delhi addressed the appeal by A.R. Rahman against the judgment favoring Ustad Faiyaz Wasifuddin Dagar, which recognized the Junior Dagar Brothers as authors of the "Shiva Stuti" composition. The court found that the evidence presented only established the Junior Dagar Brothers as performers, not as composers, and that the presumption of authorship was incorrectly applied. Consequently, the court set aside the Single Judge's order, dismissing the interim relief granted to the plaintiff, and allowed the appeal, emphasizing that the findings were preliminary and subject to further evidence in the ongoing trial.</p>
<p>Settlement on Interim Terms: Adison Resorts and Haveli Restaurant Agree on Conduct, Hearing Fast-Tracked</p> <p>Adison Resorts Limited vs. Haveli Restaurant and Resorts Ltd</p> <p>(MANU/DE/7465/2025)</p>	<p>The High Court of Delhi addressed an appeal involving Adison Resorts Limited and Haveli Restaurant and Resorts Ltd, where both parties agreed to specific interim terms: Adison Resorts would refrain from using a disputed device mark, and Haveli Restaurant would not enforce an interim injunction until the next hearing. The court requested the Single Judge to prioritize the final hearing of IA 18779/2025 on November 7, 2025, with both parties agreeing not to seek adjournments. The appeal was disposed of with no opinion on the case's merits, and the Single Judge was instructed to consider the matter independently of prior findings.</p>
<p>Copyright Claim Fails: Inreco Entertainment Cannot Establish Ownership Over Song</p> <p>Inreco Entertainment Private Limited vs. Bhikari Bal Foundation and Ors.</p> <p>(MANU/WB/2151/2025)</p>	<p>The High Court of Calcutta addressed a dispute between Inreco Entertainment Private Limited and Bhikari Bal Foundation regarding the alleged infringement of copyright over the song "Sathi Pauti Bhoga." Inreco claimed ownership based on agreements with the song's composer and lyricist, while the respondents contested the validity of these agreements, alleging forgery and non-payment of royalties. The court found that Inreco failed to establish a prima facie case of copyright infringement, noting issues with the agreements' duration, lack of royalty payments, and potential forgery. Consequently, the interim relief was vacated, and the case was directed for further trial without costs.</p>

#IPR Judgments September 2025



<p>Weak Authorship Claim Rejected: Interim Relief Vacated in Music Copyright Case</p> <p>Inreco Entertainment Private Limited vs. Bhikari Bal Foundation and Ors.</p> <p>(MANU/WB/2151/2025)</p>	<p>The High Court of Calcutta addressed a dispute between Inreco Entertainment Private Limited and Bhikari Bal Foundation regarding the alleged infringement of copyright over the song "Sathi Pauti Bhoga." Inreco claimed ownership based on agreements with the song's composer and lyricist, while the respondents contested the validity of these agreements, alleging forgery and non-payment of royalties. The court found that Inreco failed to establish a prima facie case of copyright infringement, noting issues with the agreements' duration, lack of royalty payments, and potential forgery. Consequently, the interim relief was vacated, and the case was directed for further trial without costs.</p>
<p>PROTIFIX Trademark Cancelled: Danone Prevails on Grounds of Bad Faith and Confusion with PROTINEX</p> <p>Danone Asia Pacific Holdings Pte. Ltd. vs. Syed Jawed Mohsin and Ors.</p> <p>(MANU/WB/2184/2025)</p>	<p>The High Court of Calcutta addressed the dispute between Danone Asia Pacific Holdings Pte. Ltd. and Syed Jawed Mohsin regarding the trademark "PROTIFIX," which Danone claimed was deceptively similar to its "PROTINEX" mark. The court found that the respondents failed to demonstrate genuine use of the "PROTIFIX" mark and that its adoption was in bad faith, likely to confuse consumers due to its visual and phonetic similarity to "PROTINEX." Citing precedents like Hardie Trading Ltd. v. Addisons Paint & Chemicals Ltd., the court ordered the cancellation of the "PROTIFIX" trademark registration under sections 47 and 57 of the Trade Marks Act, 1999, thereby granting relief to Danone.</p>
<p>Partial Win on Trademark: "MADHUR" Allowed for Sugar, Not Confectionery</p> <p>Madhur Confectioners Private Limited and Ors. vs. Shree Renuka Sugars Ltd</p> <p>(MANU/DE/7462/2025)</p>	<div> <p>The High Court of Delhi addressed a dispute between Madhur Confectioners Private Limited and Shree Renuka Sugars Ltd regarding the use of the mark "MADHUR" for confectionary items. The appellants claimed infringement of their registered mark "MADHUR" by the respondent, who holds registration for the mark only for sugar. The Commercial Court had denied an injunction against the respondent, prompting the appeal. The court, noting the respondent's non-use of the mark for confectionary, disposed of the appeal by restraining the respondent from using "MADHUR" for confectionary items during the suit's pendency, while allowing its use for sugar.</p>  </div>

#IPR Judgments September 2025



Novartis Misses Opportunity to Cross-Examine, Court Dismisses Writ Petitions

Novartis AG vs. Controller of Patents and Designs and Ors.

(MANU/DE/6903/2025)

The High Court of Delhi addressed the issue of whether Novartis AG could cross-examine experts of the opponents in post-grant opposition proceedings concerning its patent IN'518. Novartis AG challenged the Controller of Patents and Designs' orders denying cross-examination of the opponents' experts, arguing it was a right under Section 79 of the Patents Act. The court found that Novartis had waived this right by not requesting cross-examination at the earliest opportunity and instead opting to file rebuttal evidence. The court dismissed the writ petitions, emphasizing that the right to cross-examine must be exercised diligently and cannot be used to delay proceedings.

Tagline Clarified: "GOBOULT" Use Allowed, Injunction Limited in Trademark Dispute

Exotic Mile vs. Imagine Marketing Pvt Ltd

(MANU/DE/6940/2025)

The High Court of Delhi addressed a dispute between Exotic Mile (EM) and Imagine Marketing Pvt Ltd (IMPL) regarding the use of trademarks and taglines. The core issue was whether EM's use of certain marks and the tagline "UNPLUG YOURSELF" constituted passing off, infringing on IMPL's established trademarks. The court upheld the injunction against EM's use of specific marks but quashed the injunction on the tagline, as it was not formally requested. The court also clarified that EM could use the mark "GOBOULT," as it was not part of the original injunction. The appeal was disposed of with these clarifications, allowing IMPL to pursue separate legal action if they wish to challenge the use of "GOBOULT."

Streaming Defines Jurisdiction: Delhi HC Maintains Suit Against Zee Entertainment

Nilesh Girkar vs. Zee Entertainment Enterprises Limited and Ors.

(MANU/DE/7029/2025)

The High Court of Kerala addressed the dispute between Shoranur Metal Industries LLP and Metal Industries Limited regarding the alleged infringement of the trade name "Metal Industries." The court examined whether the defendants' use of "Shornur Metal Industries" infringed the plaintiff's registered trademark and constituted passing off. The court found that "Metal Industries" are generic terms and not entitled to exclusive use, and the plaintiff failed to prove any damage from the alleged passing off. Citing precedents, the court concluded that the trial court's injunction was unjustified and set aside the judgment, dismissing the suit. Both parties were directed to bear their own costs.

#IPR Judgments September 2025



Patent Reconsideration Ordered: Oxular Limited Gets Fresh Review on Inventive Step

Oxular Limited vs. The Assistant Controller of Patents and Designs

(MANU/DE/7260/2025)

The High Court of Delhi addressed the appeal by Oxular Limited against the Assistant Controller of Patents and Designs, who refused their patent application for an ophthalmic delivery device due to a lack of inventive step under Section 2(1)(ja) of the Patents Act, 1970. The court found that the Assistant Controller failed to consider Oxular's detailed submissions and did not apply the tests for inventive step as established in F. Hoffmann-La Roche Ltd & Anr. vs. Cipla Ltd. and Agriboard International LLC v. Deputy Controller of Patents & Designs. Consequently, the court set aside the impugned order and remanded the matter back to the Controller for reconsideration, directing a fresh order to be passed within three months. The appeal was disposed of with these instructions.

Trademark Stalemate: Dual Registrations Block Infringement Claim for Mangalam Organics

Mangalam Organics Ltd vs. N Ranga Rao and Sons Pvt Ltd

(MANU/MH/5395/2025)

The High Court of Bombay addressed a trademark infringement and passing off dispute between Mangalam Organics Ltd and N Ranga Rao and Sons Pvt Ltd. The core issue was whether the defendant's use of the mark "AIR KARPURE" infringed on the plaintiff's "CAMPURE" trademark. The court found that both parties were registered proprietors of their respective marks, thus the infringement claim under Section 29 of the Trade Marks Act, 1999, was not applicable. The court also determined that the plaintiff failed to demonstrate ex-facie illegality or fraud in the defendant's registration, nor did it establish a prima facie case for passing off. Consequently, the court dismissed the interim application for an injunction against the defendant.

Order Quashed, Case Sent for Re-hearing: Discrepancies in Trademark Ruling Corrected

Hemant Kumar Goyal vs. Yashwant Jain

(MANU/DE/6657/2025)

The High Court of Delhi addressed discrepancies in an order by the Commercial Court regarding a trademark infringement case between Hemant Kumar Goyal and Yashwant Jain. The court identified errors in the original order, noting conflicting findings on trademark infringement and a lack of prima facie evidence of goodwill for passing off. With the parties' consent, the order was quashed, and the matter was remitted to the District Judge (Commercial Court), North-West, Rohini, for reconsideration. Both parties are to appear on 16 September 2025, and the appeal was disposed of without addressing the merits of the application.