



IPR Law Judgments

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Title and Case details	Case Brief
Supreme Court Examines Commercial Court Jurisdiction in Trademark Suits, Refers Matter to Larger Bench I.S.D.S. Private Limited and Ors. vs. Khemka Food Products Pvt. Ltd. and Ors. (MANU/SC/1057/2026: SLP (C) No.6793 of 2026)	The Supreme Court of India addressed whether the restriction under Section 134 of the Trademarks Act, 1999, which mandates that suits for infringement be filed in a District Court, is overridden by notifications under the Commercial Courts Act, 2015, designating Civil Judges (Senior Division) as Commercial Courts in Jharkhand. The appellants, I.S.D.S. Private Limited and others, argued that the Trademarks Act is a special legislation and should prevail, while the respondents, Khemka Food Products Pvt. Ltd. and others, contended that the Commercial Courts Act, being a later and special legislation, takes precedence. The Court noted conflicting precedents and referred the matter to a larger bench for resolution, staying in the pending suit in Jamshedpur.
Delhi HC Dismisses Patent Infringement Appeal Against Xiaomi, Finds Devices Lack Essential Patent Features Conqueror Innovations Private Limited and Ors. vs. Xiaomi Technology India Private Limited (MANU/DE/6678/2026: 2026: DHC: 7584-DB)	The High Court of Delhi addressed the appeal by Conqueror Innovations Private Limited and others against Xiaomi Technology India Private Limited, focusing on whether Xiaomi's devices infringed Conqueror's patent for a "Communication Device Finder System." The court upheld the Single Judge's decision, finding no prima facie case of infringement, as Xiaomi's devices lacked essential features of the patent, such as the "auto-answer mode" and non-erasable message center number. The court also noted the appellants' nine-year delay in filing the suit, which weighed against granting an interim injunction. The appeal was dismissed, with the court emphasizing that the findings were preliminary and would not affect the final trial.

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Delhi HC Dismisses Appeal, holds 'OFFER' Trademark Application Requires Reconsideration ADS Spirits Pvt. Ltd. vs. The Registrar of Trademarks (MANU/DE/7011/2026: 2026: DHC:7891)	The High Court of Delhi addressed the appeal by ADS Spirits Pvt. Ltd. against the Registrar of Trademarks concerning the rejection of their trademark application for 'OFFER' in Class 33. The core issue was whether the mark 'OFFER' was distinctive enough for registration under Section 9(1)(a) of the Trademarks Act, 1999. The court found that the initial rejection was due to a misapplication of the law, as the test of 'uniqueness' was incorrectly applied instead of assessing distinctiveness. The Single Judge had remanded the matter for reconsideration, directing the Registrar to reassess the application within four months. The appeal was dismissed, affirming the remand for further examination, and no legal error was found in the Single Judge's decision.
Delhi HC Dismisses ITC's Patent Challenge, Upholds Philip Morris' Aerosol Patent as Novel and Inventive ITC Limited vs. Philip Morris Products S.A. and Ors. (MANU/DE/7026/2026: 2026: DHC:7730)	The High Court of Delhi addressed the dispute between ITC Limited and Philip Morris Products S.A. over the validity of Indian Patent "Heated Aerosol Generating Article with Thermal Spreading Wrap," raising issues under the Patents Act, 1970. ITC's post-grant opposition alleged lack of novelty and inventive step, among other grounds, while a connected writ petition challenged the Controller's dismissal of two interlocutory petitions for alleged violation of natural justice. The Court held that the cited prior art, including D1 and D7, failed to disclose the claimed wrapper's specific function as a flame barrier mitigating externally applied flame, since the prior art wrappers instead conducted heat inward from a heating element. Applying the "all elements" rule and the five-step inventive step test from <i>F. Hoffmann-La Roche Ltd. v. Cipla Ltd</i> (MANU/SC/0302/1969), the Court found the invention both novel and inventive, and held that no procedural violation occurred. The Court accordingly dismissed both the writ petition and the appeal, upholding the Controller's orders.

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Delhi HC Dismisses Appeal Against Ex-Parte Judgment in ‘T-MAX’ Trademark Dispute, Finds No Sufficient Cause Kasif Ahmed vs. M/s Tenax India Stone Products Pvt. Ltd. (MANU/DE/7101/2026: 2026: DHC:7839-DB)	The High Court of Delhi addressed the appeal by Kasif Ahmed against M/s Tenax India Stone Products Pvt. Ltd., challenging the Trial Court's refusal to set aside an ex-parte judgment in a trademark infringement suit over the mark "T-MAX" versus "TENAX", under the Commercial Courts Act, 2015. The appellant claimed his non-appearance from 2023 onward was due solely to his counsel's negligence and false assurances of ongoing settlement talks, and his own lack of digital literacy. The Court held that the appellant was given ample opportunity to defend the suit, produced no evidence of following up with counsel over two years, and that a litigant cannot escape accountability by blaming counsel alone, relying on Rajneesh Kumar v. Ved Prakash (MANU/SC/1240/2024). Finding willful negligence rather than sufficient cause under Order IX Rule 13 CPC, the Court dismissed the appeal and upheld the Trial Court's order.
Delhi HC Restrains Unauthorized Streaming, Extends Protection to Mirror and Redirect Websites Sporta Technologies Pvt. Ltd. vs. John Doe and Ors. (MANU/DEOR/94290/2026 CS(COMM) 989/2026)	The High Court of Delhi addressed the dispute between Sporta Technologies Private Limited and John Doe & Ors. concerning the unauthorized streaming of sporting events on rogue websites, in violation of the Plaintiff’s broadcast reproduction rights under Section 37 of the Copyright Act, 1957 and its “FANCODE” trademarks. Finding a prima facie case of copyright and trademark infringement and a likelihood of irreparable harm, the Court granted an ex parte ad interim injunction restraining unauthorized streaming and use of the FANCODE marks. The Court also directed domain registrars and Internet Service Providers to suspend, lock and block the identified websites, including mirror, redirect and alphanumeric variants, adopting a “Dynamic+ injunction” approach to online piracy.
Delhi HC Restrains Unauthorized Streaming of ‘VIBE’, Orders Blocking of Rogue Websites Amazon Seller Services Private Limited vs. https://cinevood.love/ & Ors. (MANU/DEOR/95497/2026 CS(COMM) 1002/2026)	The High Court of Delhi addressed the dispute between Amazon Seller Services Private Limited and <u>HTTPS://CINEVOOD.LOVE/</u> & Ors. Concerning the unauthorized streaming and distribution of the upcoming film “VIBE”, in violation of the Plaintiff’s copyright under Sections 14, 17 and 51 of the Copyright Act, 1957. Finding a prima facie case and risk of irreparable harm ahead of the film’s theatrical release, the Court granted an ex parte ad interim injunction restraining the rogue websites from streaming or making the film available without authorization. The Court also directed domain registrars to suspend the identified domains and ISPs to block access, including through real-time blocking of newly identified infringing websites.

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Delhi HC Grants Interim Protection to ‘SOCIAL’ Trademark, Restrains ‘SOCIAL CIRCLE’ Impresario Entertainment and Hospitality Pvt Ltd vs. M/s Social Circle Through Its Proprietor (MANU/DEOR/98845/2026 CS(COMM) 1033/2026)	The High Court of Delhi considered a trademark infringement suit filed by Impresario Entertainment and Hospitality Pvt. Ltd. against M/s Social Circle concerning the use of the mark “SOCIAL CIRCLE” for restaurant and bar services. The plaintiff claimed extensive registrations and use of the “SOCIAL” trademark, which had also been declared a well-known trademark by the Court. Finding the defendant’s mark identical/deceptively similar and noting the plaintiff’s registrations and established reputation, the Court held that the plaintiff had made out a strong prima facie case and that refusal of interim protection could cause irreparable injury. The Court accordingly restrained the defendant and its associated entities from using “SOCIAL CIRCLE” or any identical/deceptively similar mark until the next date of hearing.
Delhi HC Seeks Expedited Decision on MakeMyTrip’s Well-Known Trademark Application MakeMyTrip India Limited vs. The Registrar of Trademarks (MANU/DEOR/98482/2026 W.P.(C)-IPD 41/2026 & CM 241/2026)	The High Court of Delhi considered a petition by MakeMyTrip India Limited against the Registrar of Trademarks seeking a time-bound decision on its application to declare “MakeMyTrip” as a well-known trademark under Rule 124 of the Trademarks Rules, 2017. The application, filed in 2020, was published in the Trademarks Journal in 2023 and faced a sole opposition from Easy Trip Planners Ltd., which was withdrawn in April 2025 following a settlement. Noting that the application had remained pending for nearly six years, the Court issued notice to the Registrar and directed that any counter-affidavit be filed within three weeks.
Delhi HC Cancels ‘LNK’ Trademark Registration, Finds It Deceptively Similar to ‘L&K’ Basant Lal vs. Shakti Hydraulic Engineers & Anr. (MANU/DEOR/92544/2026: C.O. (COMM.IPD-TM) 190/2024)	The High Court of Delhi considered a petition by Basant Lal against Shakti Hydraulic Engineers & Anr. seeking cancellation of the trademark “LNK” in Class 11 under Sections 47 and 57 of the Trademarks Act, 1999. The Court noted that the petitioner had been using and holding registrations incorporating the dominant “L&K” mark for sanitary products since 1948, while the respondent adopted “LNK” for identical goods. Finding the marks visually and phonetically deceptively similar and observing a likelihood of confusion, the Court held that the registration violated Section 11(1) (b) of the Act. The Court accordingly cancelled the “LNK” registration and directed the Registrar of Trademarks to rectify the Register within eight weeks.

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Bombay HC Finds Infringement in Phonetically Similar “BARBECUE” Mark, Grants Interim Injunction Tervinder Singh Jhans and Ors. vs. Pankaj Rai and Ors. (MANU/MH/5720/2026: 2026: BHC-NAG-11473)	The High Court of Bombay addressed whether Pankaj Rai and others infringed the trademark and copyright of Tervinder Singh Jhans and others by using a deceptively similar name "Barbecue" for their business. The appellants claimed long-standing use and registration of the "BARBECUE/BARBEQUE" trademark, while the respondents argued no infringement due to differences in business operations and lack of exclusive rights over the word. The court found that the respondents' use of a phonetically similar name constituted infringement, causing potential confusion and harm to the appellants' goodwill. Consequently, the court quashed the trial court's order, granting a temporary injunction against the respondents from using the contested trademark during the suit's pendency.
Bombay HC Holds Film Copyright Licensing Not IT Software, Quashes GST Orders Dharma Productions Pvt. Ltd. vs. State of Maharashtra & Ors. (MANU/MH/6322/2026: 2026: BHC-OS:20584-DB)	The Bombay High Court addressed the dispute between Dharma Productions Pvt. Ltd. and the State of Maharashtra & Ors. concerning the GST classification of licensing of copyright in cinematographic films. The Court recognized that the petitioner, as the original copyright holder, licensed various cinematographic film rights, including theatrical, satellite, digital and broadcasting rights, to distributors. It held that such licensing falls under SAC 997332, which specifically covers licensing rights to broadcast and show original films, and cannot be treated as licensing of Information Technology Software. The Court further held that the mode of transmission of the copyrighted film, whether through a hard disk or electronically, does not alter the nature of the underlying copyright licensing transaction. Accordingly, the Court quashed the impugned GST orders and allowed the writ petitions.

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Bombay HC Dismisses Metro Brands' Leave Plea, Holds Passing Off Claim Must Be Pursued in Kerala Metro Brands Limited vs. Met Brands Private Limited (MANU/MH/5766/2026: 2026: BHC-OS:19660)	The High Court of Bombay addressed whether Metro Brands Limited could join causes of action for trademark infringement and passing off against Met Brands Private Limited under Clause 14 of the Letters Patent, given that the alleged passing off occurred in Kerala, outside the court's jurisdiction. The court reasoned that while Metro Brands' registered office is in Mumbai, the cause of action for passing off arose in Kerala, where both parties operate. Citing precedents like <i>Indian Performing Rights Society Ltd. vs. Sanjay Dalia and Ors. (MANU/SC/0716/2015)</i> the court emphasized that jurisdiction should align with the location of the cause of action and the defendant's business. Consequently, the court dismissed the leave petition, allowing Metro Brands to pursue appropriate legal steps in Kerala.
Bombay HC Quashes Patent Rejection, Recognizes Patil as Sole Owner of Invention Assigned by IIT Bombay Tarkeshwar Chandrakant Patil vs. Indian Institute of Technology and Ors. (MANU/MH/5812/2026: 2026: BHC-OS:19905)	The High Court of Bombay addressed the dispute between Tarkeshwar Chandrakant Patil and the Indian Institute of Technology, Bombay (IITB) regarding the ownership and patent application of an invention titled "An Apparatus and a Method for In-Vivo Power Generation." The court found that IITB had assigned all rights to the invention to Patil through a Deed of Assignment, making him the sole owner. The court quashed the Controller's order rejecting the patent application and directed that the application be processed with Patil as the applicant. The Controller General was instructed to assign the case to a senior officer uninfluenced by previous proceedings, and IITB was directed to cooperate in the process.
Bombay HC Upholds Refusal to Register "ICE CREAM ROCKS" Trademark, Finds Mark Generic and Descriptive Graviss Foods Private Limited vs. The Registrar of Trademarks (MANU/MH/5877/2026: 2026: BHC-OS:20268)	The High Court of Bombay addressed the rejection of Graviss Foods Private Limited's applications to register the trademark "ICE CREAM ROCKS" by the Registrar of Trademarks. The core issue was whether the mark was distinctive enough to warrant registration under the Trademarks Act, 1999. The court found that the mark lacked inherent distinctiveness and was descriptive, thus falling under the prohibitions of Section 9(1)(a) and 9(1)(b) of the Act. The court upheld the Registrar's decision, dismissing the petitions without interference, and noted that the mark's lack of distinctiveness rendered any analysis under Section 11 irrelevant.

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Calcutta HC Says Cable Operator’s License Does Not Cover Hotel’s Commercial Use of Copyrighted Works The Indian Performing Right Society Limited vs. Hotel Appolo & Tours Private Limited (MANU/WB/2123/2026: FMA 322 of 2025)	The High Court at Calcutta addressed the dispute between The Indian Performing Right Society Limited and Hotel Appolo & Tours Private Limited over the unlicensed use of copyrighted literary and musical works in hotel rooms via cable television, raising issues under the Copyright Act, 1957. The Court held that the cable operator's license did not extend to the hotel's use of the content for its guests, since this constituted communication to the public and commercial exploitation of copyrighted works. Relying on Sections 2(ff), 30, 51 and 52 of the Copyright Act, the Court found infringement and a strong prima facie case for the appellant, setting aside the Trial Court's refusal of temporary injunction and allowing the application under Order XXXIX Rules 1 and 2 of the CPC.
Calcutta HC Upholds Injunction in ITC’s ‘Gold Flake’ Trademark Dispute, Finds ‘Gold Stag’ Similar Pravin Kumar vs. ITC Limited and Ors. (MANU/WB/2185/2026: 2026: CHC-OS:400-DB)	The High Court at Calcutta addressed the appeal by Pravin Kumar against ITC Limited and Ors. concerning alleged infringement and passing off ITC's "Gold Flake" cigarette trademark and trade dress through use of the mark "IJM Gold Stag," raising issues under the Trademarks Act, 1999 and the Letters Patent of the Calcutta High Court. The dispute arose from a Single Judge's order granting temporary injunction on passing off while denying it on infringement, prompting cross-appeals. The Court held that the suit court had valid territorial jurisdiction, that an infringement suit was maintainable despite the appellant's claimed registration given disputed validity under Section 124 of the Act, and that ITC had shown a prima facie case both on secondary meaning acquired in the word "Gold" and on the appellant's dubious licensing documents. The Court accordingly dismissed both the appeal and the cross-objection, affirming the Single Judge's injunction order in full, with no order as to costs.

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Telangana HC Upholds Injunction in ‘Tasty Gold’ Trademark Dispute, finds ‘Tasty Nutts’ Likely to Cause Confusion M/s. Vaidehi Agro Oils Private Limited & Anr. vs. M/s. Sri Tulasi Industries & Anr. (MANU/TN/2942/2026: CMA No.161 of 2026)	The High Court for the State of Telangana considered a trademark dispute between M/s. Vaidehi Agro Oils Pvt. Ltd. and M/s. Sri Tulasi Industries concerning the use of “Tasty Nutts”/ “Namaskar Tasty Nutts” for edible oils, vis-à-vis the plaintiff’s registered “Tasty Gold” mark. The Court noted the plaintiff’s prior use since 2000, subsisting trademark and copyright registrations, and established goodwill, while finding that the defendants’ mark and packaging created a likelihood of confusion. Applying to the principles governing temporary injunctions, including prior use, deceptive similarity, balance of convenience and irreparable injury, the Court upheld the Trial Court’s injunction. The Court accordingly vacated the interim suspension and dismissed the Civil Miscellaneous Appeal.