



AUGUST 2021

THE IP PRESS HOT SHORTS

from the pens of IPHolics



Message from the Editor's Desk!

Neha Singh

Associate Editor

The IP Press

It has been a constant and collective effort of The IP Press Team to bring to its readers the most recent news in the field of IP not just stated but analyzed and thought provoked. Whilst the blog also discusses traditional IP concepts time and again, we bring to you The IP Press Newsletter to keep you up to the minute with the events happening in the IP world ranging from trade marks to patents and everything in between. We hope our readers will enjoy this endeavor and find it informative. With a lot of happiness and excitement, we present to you the thirteenth edition of The IP Press Newsletter! Best wishes to the team always!



Message from the Author's Desk!

Tanya Sharma

Content Writer

The IP Press

It gives me immense pleasure to welcome you all to the thirteenth edition of The IP Press Newsletter, for the month of August 2021. Also, this newsletter will cover the full range of IP laws related to hot shorts across the globe! It includes recent "legal updates" in the fields of Patents, Trade Marks, E-Commerce, Copyright, Designs and Geographical Indications.

However, this is very much your newsletter. Therefore, please provide feedback to our team at theippress@gmail.com as to what more you would like to see in this newsletter. We trust that you will enjoy our thirteenth edition of the newsletter and we look forward to hearing from you all



PATENTS HIGHLIGHTS



Delhi High Court granted an ex-parte interim injunction in a case involving a patent of the compound 'Apixaban'

The Delhi High Court in the case of Bristol-Myers Squibb Ireland Unlimited v Micro Labs Limited [IA No. 7681/2021] granted an ex-parte injunction in favor of the plaintiff in a case involving a patent of the compound 'Apixaban'. Apixaban products had been listed by the defendant on various third-party websites under the name 'Apivas' and this was identified to infringe the plaintiff's patent in Apixaban.

- **Click here to read full order:**
<https://indiankanoon.org/doc/129524611/>

80% reduction in patent application fees for all recognized educational institutions: The Ministry of Commerce & Industry

A proclamation has been made by the Ministry of Commerce and Industry that there will be 80% reduction in patent application fees for all recognized educational institutions in India and abroad which is the lowest among the top Patent Offices worldwide.

- **To read further click here:**
https://twitter.com/PiyushGoyal/status/1427679649010655232?ref_src=twsrc%5Etfw

Apple told to pay \$300 Million after Wireless Patent Retrial

The US District Court for the Eastern District of Texas directed Apple to pay \$300 million in royalties after a retrial in a patent dispute over wireless technology used in its iPhones and other products, as part of a global fight with a company that says it owns patents on the LTE Cellular Standard.

- **To read further click here:**
<https://www.bloombergquint.com/business/apple-told-to-pay-300-million-after-wireless-patent-retrial>

PATENTS HIGHLIGHTS

Sonos wins First Round in Patent case against Google at ITC.

Sonos Inc. came one step closer to winning a global battle with Alphabet Inc's Google when a judge of International Trade Commission in Washington found that the search giant infringes five Sonos patents.

- **To read further click here:**

<https://www.bloombergquint.com/technology/sonos-wins-first-round-in-patent-case-against-google-at-itc>

India jumps to 48 rank in Global Innovation Index amid record patent grants, trademark registrations.

According to India's Union Commerce & Industry Minister, India ranks 48 in Global Innovation Index 2020 as a record number of patents were granted during 2020-21 and 14.2 lakh trademark registrations were made in the last four years.

- **To read further click here:**

<https://www.timesnownews.com/business-economy/industry/article/india-jumps-to-48-rank-in-global-innovation-index-amid-record-patent-grants-trademark-registrations/800406>



TRADE MARKS AND E-COMMERCE BULLETIN



Delhi HC grants interim injunction against using trademark ‘Delhi Public International School’ and ‘DPIS’.

In the case of Delhi Public School Society v Delhi Public International School [I.A. 8152/2021], the Delhi High Court restrained the defendant from using the trademark ‘Delhi Public International’ and ‘DPIS’ and granted an interim injunction in favor of the plaintiff.

- **Click here to read full order:**
<https://indiankanoon.org/doc/70768449/>

Bombay High Court stayed the investigation on a Pune Police FIR.

In the case of Sony Pictures Network India Pvt Ltd v State of Maharashtra [Criminal Writ Petition No. 2929 of 2021], Karad Urban Co-operative Bank (KUCB) alleged that the 3rd episode of web series, ‘Scam 1992: The Harshad Mehta Story’ displays a logo in the background which resembles its trademark, causing severe damage to its financial, commercial, and social reputation.

- **Click here to read full order:**
<https://indiankanoon.org/doc/75179673/>

Delhi HC restrains kitchenware firm from using ‘AMUL’ trademark.

In the case of Gujarat Cooperative Milk Marketing Federation Ltd & Anr v Maruti Metals & Anr, the Delhi High Court granted an ex-parte ad-interim injunction in favor of the plaintiff and alleged that the defendants were using misleading mark ‘Amul Cookware’ for selling kitchenware and utensils by violating plaintiff’s trademark in ‘AMUL’.

- **To read further click here:**
https://www.business-standard.com/article/companies/delhi-hc-restrains-kitchenware-firm-from-infringing-amul-trademark-121082100567_1.html

COPYRIGHT AND DESIGN BULLETIN



Calcutta HC refused to grant an interim injunction in telecasting of certain films.

In the case of RDB and Company v Zee Entertainment Enterprises [IA No GA/1/2021], the Calcutta High Court refused to grant an interim injunction in a case involving the telecasting of certain films by Zee Entertainment on their satellite channels and OTT Platform in which the plaintiff claimed ownership of copyright.

- **Click here to read full order:**
<https://indiankanoon.org/doc/81307606/>

The Tribunals Reforms Bill, 2021, passed by the Rajya Sabha.

The Tribunals Reforms Bill, 2021, was approved by the Lok Sabha on 3rd August 2021 and was passed by the Rajya Sabha on 9th August 2021. Bill has abolished 9 appellate tribunals, including the Intellectual Property Appellate Board (IPAB).

- **To read further click here:**
<https://patentsrewind.wordpress.com/2021/08/10/the-tribunals-reforms-bill-2021-passed-by-the-rajya-sabha/>

GEOGRAPHICAL INDICATIONS BULLETIN



‘Fazil’, a GI certified Mango variety from West Bengal exported to Bahrain: Commerce Ministry.

As per the statement made by the Commerce Ministry, a consignment of ‘Fazil’, a GI certified mango variety sourced from Malda district of West Bengal was exported to Bahrain. GIs are understood by consumers to denote the origin and quality of the product that’s why the producers get premium price for the product so that no other producer can misuse the name to market similar goods.

- **To read further click here:**

<https://economictimes.indiatimes.com/news/economy/agriculture/gi-certified-fazil-mango-variety-from-west-bengal-exported-to-bahrain-commerce-ministry/articleshow/84294016.cms>

SHAMPANSKOYE: Is it a call for a Geographical Indication dispute between France and Russia?

As per a new Russian law, the Russian producers of sparkling wine are permitted to use the word ‘Shampanskoye’ which is the Russian word for Champagne and are certainly creating space for their products in the foreign market. Meanwhile, the use of the term Champagne has been protected in France through the concept of GI. In the light of these understandings, it would be fascinating to witness the next step of new law in the light of already existing protection to the term champagne and the response of the French government in the light of violation of TRIPS Agreement.

- **To read further click here:**

<https://www.theippress.com/2021/09/09/shampanskoye-a-potential-geographical-indication-dispute-between-france-and-russia/>

ABOUT THE IP PRESS

We believe writing and digitalisation are two ultra-modern weapons of today and torch bearers for tomorrow. With our thoughts penned down on this blog, we bring you our opinion on the emerging issues in the intellectual property (IP) laws.

The IP Press is a team of IP-Holics, who started this blog to ensure access to the latest intellectual property (IP) issues for all the IP hopefuls. Our focus would be to address IP concerns of stakeholders, students, academicians, researchers, start-ups, etc. and guide them to attain and enforce their IP rights.

We, not only hold expertise in law and IP, but our team of technically-skilled professionals, IP specialists and patent agents gives us a better understanding to deal with technical issues in IP. To focus on national and international issues, we are supported with international IP experts as well.

Below is an insight into the objectives of starting this initiative:

- Spread awareness on the latest IP issues;
- Conduct workshops for the IP professionals;
- Seminars and video lectures for the IP aspirants;
- Review and comment on the IP policies;
- Encourage and foster the IP culture;
- Career counselling for students who are interested in building their career in IP;
- A team of academicians and practitioners to research and advice on the IP disputes.

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CALL FOR SUBMISSIONS

THE IP PRESS LAW REVIEW, VOLUME I, ISSUE I

LAST DATE: 30TH SEPTEMBER 2021

About The IP Press Law Review (IPPLR)

The IP Press Law Review (IPPLR) is an initiative of The IP Press to extend our objectives of spreading awareness on the issues concerning intellectual property rights and related laws. The main aim behind starting this journal is to promote study and research in the field of intellectual property laws. The Journal will be a reflection of some of the key concerns of the Intellectual property regime both under national and international parlance. The Journal is envisioned to embody some of the most brainstorming insights that will help readers to grasp the discourse around contemporary developments in the field of Intellectual Property Law.

Call for Submissions

The IP Press Law Review invites original and unpublished manuscripts including but not limited to long articles, short articles, case notes & comments, and book reviews related to the field of Intellectual Property and allied laws. The contributions are invited from academicians, practitioners, legal professionals, research scholars, and students.

Deadline

The deadline for submitting the manuscript for fall publication is September 20, 2021.

Submission Guidelines

For submission guidelines, download the brochure from here: <https://storage.googleapis.com/theippress/2021/07/44e66387-call-for-submissions-the-ip-press-1.pdf>

Submission Details

Long Articles	6000- 8000 words [Inclusive of footnotes.]	In-depth analysis of a contemporary legal issue. The lacunae or research gap. Suggestions & Opinions.
Short Articles	3000- 6000 words [Inclusive of footnotes.]	Comprehensive analysis of a specific legal issue. The legal challenge and way forward.
Case notes & Comments	1500 – 3000 words [Inclusive of footnotes.]	Any recent case law that discusses a contemporary legal issue. It should contain a critical analysis of -obiter dicta or specific legal predicament set forth in particular case law or – policy reform proposal or – legislative development or -