

GCIPR NEWSLETTER

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Gujarat National Law University



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Gujarat National Law University's Centre for Intellectual Property Rights stands as a vanguard in fostering IP education and research. Aligned with its mission to nurture legal scholarship and industry engagement, the Centre serves as a hub for innovative academic initiatives, promoting the role of IP in driving sustainable growth. Through its dynamic programs, publications and outreach activities, GCIPR empowers legal professionals, researchers and students to navigate the intricate landscape of IP law while addressing contemporary challenges and opportunities.

Top News

BioNTech Settles \$1.2B Royalty
Dispute with NIH and Penn

Delhi HC Rules in Favor of IKEA in
IKEA v. IKEY

Netflix Sues VMware over Virtual
Machine Patent Infringement

John Doe order against
counterfeit Rahul Mishra designs



Brazilian Court Orders Global
Removal of Adele's 'Million Years Ago'

FROM THE DESK OF THE CENTRE HEAD

Dear Students,

At the GNLU Centre for Intellectual Property Rights, we strive to provide a dynamic environment that connects academia, industry, and policy. Our goal is to support cutting-edge research, encourage multidisciplinary learning, and make significant contributions to the evolving environment of intellectual property law. Through collaborations, capacity-building programs, and thought leadership, we hope to equip stakeholders to manage difficult intellectual property concerns while supporting innovation and diversity. Let us work together to create a future in which intellectual property drives creativity, development, and global impact.

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Oldest Active Trademark



The oldest active trademark belongs to the British brewery, Stella Artois, which received its trademark protection in Belgium in 1366.

District Court Rules in Favor of Asics

In a landmark ruling, the Delhi District Court has issued a permanent injunction against Hardev Group of Shoes for infringing Asics Corporation's trademarks. The court found Hardev Group's footwear deceptively similar to Asics' registered marks, leading to consumer confusion and brand dilution. This decision underscores the judiciary's firm stance on protecting global brands from counterfeit and deceptive practices, reinforcing strict trademark enforcement in India.

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Brazilian Court Orders Global Removal of Adele's 'Million Years Ago'

A Brazilian court has ruled that Adele's *Million Years Ago* plagiarizes *Mulheres*, a 1985 song by Toninho Geraes, ordering its removal from streaming platforms worldwide. Sony Music, denying the allegations, plans to appeal. This case underscores the expanding global reach of national copyright rulings, particularly in emerging markets, and raises concerns over the subjectivity of musical similarity in copyright law.

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BioNTech Settles \$1.2B Royalty Dispute with NIH and Penn

The BioNTech logo, consisting of the word "BIONTECH" in a white, bold, sans-serif font on a dark teal background.

BioNTech has reached a \$1.2 billion settlement with the NIH and University of Pennsylvania over COVID-19 vaccine royalties. The dispute involved patents for mRNA modifications that boosted vaccine stability and efficacy. This agreement highlights the financial impact of early research and the critical role of patent licensing and revenue-sharing in biotech innovation, setting a precedent for future IP negotiations.

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Delhi HC Denies Injunction in Jay Switches Patent Case

The Delhi High Court has rejected Jay Switches India Pvt Ltd's request for an interim injunction against Sandhar Technologies Ltd., citing ambiguity in its Air Tight Fuel Cap patent claims. The ruling underscores the importance of precise patent drafting and claim clarity for enforceability, highlighting the challenges of proving infringement with unclear patents.

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Delhi HC Rules in Favor of IKEA in IKEA v. IKEY

The Delhi High Court has granted relief to IKEA in its trademark suit against Indian firm IKEY, citing deceptive similarity that could mislead consumers and dilute the brand. The ruling reinforces India's commitment to trademark protection under the Trademarks Act, 1999, and serves as a warning against adopting names resembling established global brands.

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IndiGo Wins Against Mahindra Electric



IndiGo successfully sued Mahindra Electric over its use of 6E for an electric vehicle, arguing trademark infringement. The court ruled in favor of IndiGo, citing potential consumer confusion and brand dilution, prompting Mahindra to rename the car BE 6. This case underscores the importance of cross-industry trademark protection and the risks of misleading similarities in brand identity.

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Delhi HC issues notice in the Dispute of *Marico-Alpino*

The Delhi High Court has issued a notice in Marico's case against Alpino, where Marico alleges misleading ads disparaged its oat-based products. Alpino seeks to vacate the injunction, citing Marico's alleged suppression of key facts. The case highlights the role of the Clean Hands Doctrine in commercial disputes and the increasing judicial scrutiny of competitive marketing strategies.

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Delhi Court Rules in Favor of Aditya Birla Nuvo in Trademark Case

The Delhi District Court has granted a permanent injunction to Aditya Birla Nuvo Ltd., barring defendants from using deceptively similar marks like LOUIS PHILLIPE and LORIS PHILIPPE. Recognizing LOUIS PHILIPPE as a well-known trademark, the ruling reinforces India's strong trademark protection framework and the judiciary's commitment to preventing brand dilution and consumer confusion.

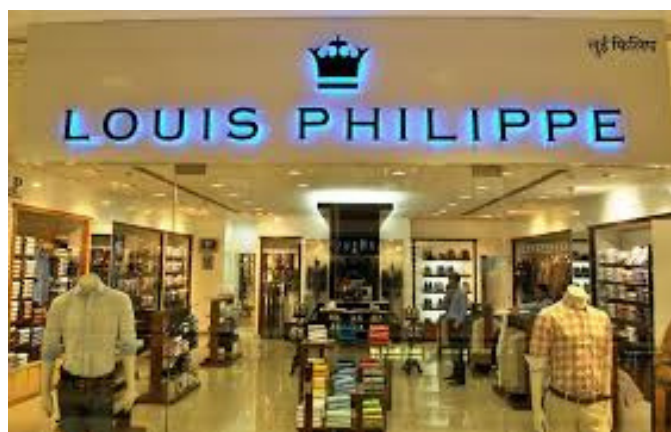
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Netflix Sues VMware over Virtual Machine Patent Infringement



Netflix has filed a lawsuit against Broadcom-owned VMware, alleging that VMware's vSphere platform unlawfully incorporates Netflix's patented virtual machine technology. Seeking damages and an injunction, Netflix's case highlights the growing role of IP in cloud computing and virtualization. The outcome could set a key precedent for software patent enforcement in the tech industry.

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MSF sues Dharma Productions over 'Jigra' Trademark Infringement

Médecins Sans Frontières (MSF) has filed a trademark infringement suit against Dharma Productions, accusing the film Jigra of misusing its trademark. The portrayal of the lead character, played by Alia Bhatt, associating MSF with illegal activities, could mislead audiences and damage the organization's reputation. This case highlights the challenges of protecting trademarks in the entertainment industry and emphasizes the need for filmmakers to be mindful of intellectual property rights.

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Delhi HC rules on Pfizer's Tofacitinib Patent Case

The Delhi High Court found Everest Pharmaceuticals guilty of infringing Pfizer's Tofacitinib patent by selling an unauthorized generic, Tofaxen. However, with Pfizer's patent expiring during litigation, no injunction was granted, and the court directed Pfizer to submit a bill of costs. The case highlights the challenges of enforcing pharmaceutical patents nearing expiration and underscores the importance of timely legal action.

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John Doe order against counterfeit Rahul Mishra designs



Delhi High Court has issued a John Doe order suspending the operation of a website selling counterfeit dresses designed by Rahul Mishra. The ruling, based on the Trade Marks Act, 1999, and the Copyright Act, 1957, underscores the court's proactive approach in combating online piracy and protecting fashion designers. This decision sets an important precedent for future cases involving online infringement and reinforces judicial commitment to safeguarding brand integrity in the digital space.

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