



GCIPR NEWSLETTER



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innovations in India (*Idemia*)

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.



Copyright, AI and Academic
Integrity- *The JGU Case*

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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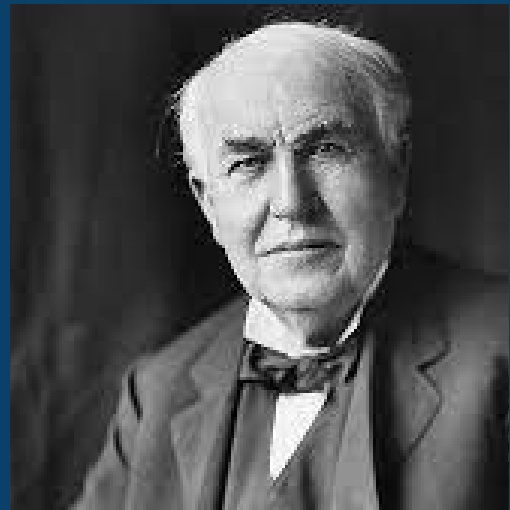
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Most Patented Inventor



The accolade for the most patented inventor goes to Thomas Alva Edison, an American inventor and businessman, held 1,093 US patents in his name, along with many others in the United Kingdom, France and Germany.

When Numbers Meet Law: *Idemia*

In a Madras High Court case, a cryptography patent using a "simplified elliptical curve" was initially rejected under Section 3(k) of the Patents Act, excluding business methods and mathematical formulas. The court criticized the Patent Office for procedural lapses, including failing to notify the applicant about objections. The rejection was overturned, emphasizing adherence to due process and broader patent guidelines.

[Read More](#)



Copyright Showdown: Dhanush Sues Nayanthara Over Netflix Clip

A copyright dispute arose between Dhanush and Nayanthara over a three-second clip from the 2015 film Naanum Rowdy Dhaan used in her Netflix documentary. Dhanush's Wunderbar Films demanded ₹10 crore in damages, claiming no consent was given despite repeated NOC requests. The clip has since been removed, and the Madras High Court will hear the case on January 22, 2025.

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Monster Energy Wins Trademark for 'SUPER FUEL'



The Madras High Court overturned a Trademark Registry rejection of Monster Energy's "SUPER FUEL" mark, initially denied under Section 11 of the Trade Marks Act, 1999. The court noted the conflicting marks belonged to unrelated product categories, emphasizing trademark protection's context-specific nature. The mark will be published, but future oppositions remain possible.

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Alder Biochem



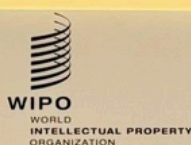
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Riyadh Design Law Treaty: A New Era for Global Design Protection

On November 22, 2024, WIPO member states adopted the Riyadh Design Law Treaty to simplify international design protection. Key highlights include a standardized application framework, flexible design representation methods, a 12-month grace period post-disclosure, and unpublished design options. Emphasizing modernization, the treaty supports electronic filing, multi-design applications, and streamlined renewals. Thoughtful relief measures address missed deadlines, reflecting a practical approach to designers' challenges. Pending ratification by 15 countries, the treaty marks a milestone in fostering global innovation. [Read More](#)



Zydus Secures Win in 'BIOCHEM' Trademark Dispute

The Delhi High Court granted Zydus Healthcare an injunction against Alder Biochem Pvt. Ltd., barring the use of "ALDER BIOCHEM" in the pharmaceutical sector. Zydus, the registered owner of "BIOCHEM" since 1961, argued the mark's longstanding use and distinctiveness, while Alder claimed it was a generic term. The court ruled in favor of Zydus, citing the risk of consumer confusion and emphasizing trademark protection for distinctive marks, even in generic-sounding cases. [Read More](#)

Fortis Trademark Auction



The Delhi High Court has approved the auction of the "Fortis" trademark to enforce a ₹3,500 crore arbitral award in favor of Daiichi Sankyo. The dispute involves fraud by Ranbaxy's former promoters during its 2008 sale. The court estimated the trademark could fetch ₹191.5 crore, rejecting formal valuation to expedite recovery. This landmark ruling underscores IP's role in debt recovery and sets a precedent for leveraging trademarks in legal enforcement. [Read More](#)

Copyright, AI, and Academic Integrity

In a landmark case, LLM student Kaustubh Shakkarwar challenged O.P. Jindal Global University for failing him over alleged AI-generated exam content. He argued there was no explicit policy against AI use and cited copyright law to claim authorship. The university later revised his transcript to mark him as 'Passed,' resolving the plea. The case underscores the need for clear AI policies in academia and raises pivotal questions on copyright in the AI era.

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Tesla vs. Tesla Power: Trademark Clash in India

Elon Musk's Tesla has sued Tesla Power India (TPI) for trademark infringement, accusing it of misusing the "Tesla" name to market batteries and UPS systems. TPI claims it operated before Tesla entered India and denies any intent to confuse consumers. The Delhi High Court deferred the case to April 2025, with both parties exploring a settlement. Speculation about Tesla's India market entry intensifies following Musk's canceled visit to the country.

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Sweden Seeks Trademark for protection of its name



Sweden has become the first country to apply for a trademark on its name via the EUIPO. Part of the "Visit the Original Sweden" campaign, the move aims to distinguish Sweden from namesakes in the US and Indonesia, helping travelers avoid confusion. The campaign highlights authentic Swedish experiences, from scenic landscapes to cinnamon buns and global brands.

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ANI vs. OpenAI: Copyright and Fake News Dispute

The Delhi High Court began hearing ANI Media's case against OpenAI, accusing it of using copyrighted content without permission for AI's training. ANI also alleged the spread of fake news through false attributions. OpenAI argued against jurisdiction, citing its servers' overseas location. ANI highlighted persistent content issues and OpenAI admitted rare false attributions. The court has yet to grant an injunction and appointed an amicus curiae to address broader legal concerns. [Read More](#)

India Rises in Global IP Rankings: WIPO 2024 Report

India has entered the global top 10 for patents, trademarks, and industrial designs. Key highlights from 2023:

- Patents:** 15.7% growth, highest among the top 20 origins, with 64,480 filings (6th globally). Resident filings surpassed 55%.
- Industrial Designs:** 36.4% increase, driven by textiles, tools, and cosmetics sectors.
- Trademarks:** 6.1% rise, ranking 4th globally, with 90% from domestic applicants.

India's patent-to-GDP ratio more than doubled since 2018, reflecting innovation-driven economic growth. These achievements showcase India's progress as a global IP leader through robust local ecosystems and government initiatives. [Read More](#)

Radio Mirchi Wins Digital Rights Protection Case



Entertainment Network (India) Limited, operator of Radio Mirchi, secured a victory against unauthorized use of its trademark and copyrighted content, particularly the 'Sunday Suspense' program. The company had discovered multiple violations, including fraudulent Android apps and Amazon webpages, after issuing cease and desist notices. The court granted a permanent injunction, highlighting the plaintiff's significant investments and the ongoing infringement. This ruling sets an important precedent for digital content protection in India's media landscape. [Read More](#)

Country-wise number of patents applications in 2023, top six

China	1,642,507
US	518,364
Japan	414,413
Republic of Korea	287,954
Germany	133,053
India	64,480

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