

MONTHLY INTELLECTUAL PROPERTY RIGHTS NEWSLETTER

JUNE 2025

Dear Readers,

We bring you a concise analysis of important developments, recent publications and judgements and noteworthy regulatory amendments in the corporate and financial sectors on a monthly basis.

Our newsletter outlines various developments and significant legal and cultural milestones that highlights the importance of preserving and protecting Intellectual Property rights.

Perceiving the significance of these updates and the need to keep track of the same, we have prepared this newsletter providing a concise overview of the various changes brought in by our proactive regulatory authorities and the Courts!

Feedback and suggestions from our readers would be appreciated. Please feel free to write to us at mail@lexport.in.

Regards,
Team Lexport



ABOUT US

Lexport is a full-service Indian law firm offering consulting, litigation and representation services to a range of clients.

The core competencies of our firm's practice *inter alia* are Trade Laws (Customs, GST & Foreign Trade Policy), Corporate and Commercial Laws and Intellectual Property Rights.

The firm also provides Transaction, Regulatory and Compliance Services. Our detailed profile can be seen at our website www.lexport.in.

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PART A: COURT RULINGS

Issue 1: Delhi High Court Grants “Superlative Injunction” to Safeguard IPL 2025 Broadcasts

Ruling: In a significant order aimed at curbing digital piracy, the Delhi High Court granted a “*superlative injunction*” in favor of Star India Pvt. Ltd. to protect its exclusive broadcast rights over the Indian Premier League (IPL) 2025 and other upcoming cricket events. The Court extended its earlier dynamic+ injunction to cover not just rogue websites, but also rogue mobile applications engaged in unauthorized live streaming of the Plaintiff's copyrighted content. Acknowledging the real-time threats posed by evolving infringing platforms, the Court directed ISPs, domain registrars, and other intermediaries to take immediate action including blocking access and suspending domain registrations based on notifications from the Plaintiff, without requiring repeated court motions. The relief is valid till July 3, 2025.

Star India Pvt. Ltd. v. IPTV Smarters Pro & Ors., CS(COMM) 108/2025

Lexport Comments:- *This ruling is a landmark in the enforcement of IP rights in the digital age. By acknowledging the fast-evolving tactics of online infringers, the Court rightly empowered right-holders to act in real-time against rogue websites and mobile applications. The recognition and formalization of a “superlative injunction” a step ahead of traditional dynamic injunctions reflects judicial responsiveness to*

technological abuse and sets a strong precedent for future content protection, particularly in relation to high stakes live sporting events.

Issue 2: Bombay High Court Upholds Refusal to Recognize “TikTok” as a Well-Known Mark

Ruling: The Bombay High Court dismissed a petition filed by TikTok Limited challenging the Trade Marks Registrar’s decision refusing to include the mark “TikTok” in the list of well-known trademarks under Rule 124 of the Trade Mark Rules, 2017. The Registrar had denied the application citing the Government of India’s ban on the TikTok app, stating it was prejudicial to the sovereignty and integrity of India, as well as concerns related to data privacy, cyber safety, and public order. The Petitioner argued that the Registrar failed to apply the relevant statutory criteria under Section 11(6)–(9) of the Trade Marks Act and instead relied on press releases and irrelevant legal provisions. However, the Court held that the Registrar was empowered to consider any fact deemed relevant, including national security considerations, and found no error in the order. The petition was accordingly dismissed.

**Tiktok Limited v. Registrar of Trade Marks & Anr.,
Commercial Misc. Petition No. 10 of 2024**

***Lexport Comments:-** This judgment affirms that the Registrar’s discretion under Section 11(6) of the Trade Marks Act is broad enough to encompass national interest concerns. While the ruling may seem to conflate IP protection with geopolitical factors, it reinforces that inclusion in the well-known mark list is not merely a matter of commercial fame but must also align with broader public interest and constitutional principles. It sets a precedent for the growing interplay between national security policy and IP recognition in India.*

Issue 3: Delhi High Court Grants 'Dynamic+' Injunction to Protect Sadhguru’s Personality Rights from AI-Generated Deepfakes

Ruling: The Delhi High Court granted a wide-ranging ex parte *dynamic+* injunction in favour of spiritual leader Sadhguru Jagadish Vasudev and Isha Foundation, restraining over 40 rogue websites and social media accounts from misappropriating Sadhguru’s personality rights. These entities had created and circulated deepfake videos, impersonating his voice and likeness using AI, to promote fake investment schemes and products. The Court acknowledged that such impersonations not only risked damaging the Plaintiff’s hard-earned reputation but also posed a threat to public trust and consumer safety. The order directed major platforms like YouTube, X (Twitter), Instagram, and government departments like MEITY and DoT to immediately block, suspend, or take down the infringing content/accounts and ensure compliance. The Court permitted future takedowns on real-time discovery of similar infringing content.

Sadhguru Jagadish Vasudev & Anr. v. Igor Isakov & Ors., CS(COMM) 578/2025

***Lexport Comments:-** This decision is a significant leap in the judicial recognition of personality rights in the digital age, particularly in the context of AI-generated deepfakes. The Court’s proactive approach in granting a “dynamic+” injunction reflects a strong commitment to evolving jurisprudence on digital impersonation, consumer deception, and the sanctity of public figures’ identities. It also reaffirms that technological misuse will not be allowed to erode trust, reputation, or the dignity of individuals—setting a crucial precedent for future enforcement of personality and publicity rights in India.*

PART B: ARTICLES AND NEWS

1. Supreme Court to Hear Controversial Appointment Challenge of CGPDTM Amid Allegations and Internal Feud

A long-standing tussle between the All India Patent Officers' Welfare Association (AIPOWA) and the incumbent Controller General of Patents, Designs, and Trademarks (CGPDTM), Dr. Unnat P. Pandit, has reached the Supreme Court. AIPOWA's challenge concerns the alleged procedural irregularities, lack of recruitment rules, and deviation from mandatory open advertisement norms in Dr. Pandit's appointment. While the Delhi High Court refused to entertain the writ petition, citing limits on PILs in service matters, the Supreme Court has agreed to hear the appeal post-vacation. This development unfolds amid a backdrop of multiple recent controversies involving the CGPDTM, including alleged unauthorized data access to a private company and threats of retaliatory transfers to association members. The case raises significant questions about transparency in public appointments and judicial boundaries in service-related PILs.

2. Delhi High Court Declares 'RITZ' and 'RITZ-CARLTON' as Well-Known Trademarks in Hospitality Sector

In a significant ruling, the Delhi High Court declared the marks 'RITZ' and 'RITZ-CARLTON' as well-known trademarks under *Section 2(1)(zg)* of the Trade Marks Act, 1999. The Court held that the Plaintiff Ritz Hotel Ltd. had convincingly established widespread recognition of the marks among Indian consumers, supported by extensive usage, global presence, and considerable revenue and promotional efforts. Granting a decree of permanent injunction, the Court restrained the Defendants from infringing or passing off services and ordered them to discontinue use of infringing domains such as 'www.thehotelritz.com' and 'www.ritz-hotels.com'. This declaration enhances protection for the iconic marks in India, particularly in the hospitality industry.

3. Delhi High Court Sends 'Bharat Cell' Trademark Dispute Between KPL and Ola Electric to Mediation

In a trademark dispute over the term "*Bharat Cell*", the Delhi High Court has referred the matter between Kushmanda Power Limited (KPL) and Ola Electric to mediation. The case, heard by Justice Saurabh Banerjee, involves allegations of trademark infringement and passing off by KPL, which claims prior use of the mark "*BHARATCELL*" for its lithium-ion battery packs. Ola Electric had launched its 4680-format lithium-ion cell under the name "*Bharat Cell*" in August 2024, but neither party holds a registered trademark over the name as of now. Given that trademark rights are still uncrystallised and with no immediate urgency, the Court directed both parties to explore an amicable resolution under Section 12A of the Commercial Courts Act, 2015. The next hearing is scheduled for August 2025, offering a window for potential settlement and avoidance of protracted litigation.

4. Article - Dagar v. Rahman: Redefining Originality in the Age of Cultural Commons

In this case comment, our Partner, Ms. Rajlatha Kotni, along with Associate Ms. Swagita Pandey and Intern Rakesh Kumar Vatsa analyses the Delhi High Court's decision in *Dagar v. Rahman*, which addresses the nuanced intersection of copyright law and classical Indian music. The comment explores how the Court approached originality, cultural heritage, and authorship in traditional compositions, offering insight into the legal challenges of protecting classical works in the modern IP landscape.

Link: <https://surl.li/xlitbg>

END OF THE NEWSLETTER
