

IPR Judgment

December 2025



Case Name and Citation	Case Brief
<p>Delhi HC Cancels 'ACTIVEPUSHPA' Trademark, Calls Adoption Dishonest and Confusingly Similar.</p> <p>Rajvaidya Shital Prasad and Sons Vs. Karna Goomar and Ors</p> <p>(MANU/DE/6635/2025; 2025: DHC:1881)</p>	<p>The High Court of Delhi addressed a rectification petition filed by Rajvaidya Shital Prasad and Sons against Karna Goomar and others, seeking cancellation of the trademark 'ACTIVEPUSHPA' due to its deceptive similarity to their own mark 'HEMPUSHPA'. The court found that 'PUSHPA' was a dominant part of both marks, leading to potential consumer confusion, and determined that the respondent's adoption of the mark was dishonest. Consequently, the court ordered the cancellation of the 'ACTIVEPUSHPA' trademark from the register, citing violations of the Trade Marks Act, 1999.</p>
<p>Delhi HC Tightens Rules on Fraudulent Domains, Holds Registrars Accountable for Online Trademark Abuse</p> <p>Colgate Palmolive Company and Ors. vs. Nixi and Ors.</p> <p>(MANU/DE/1716/2025; 2025: DHC:11874)</p>	<p>The High Court of Delhi addressed the issue of fraudulent domain name registrations infringing trademark rights, involving Colgate Palmolive Company and others against Nixi and others. The court emphasized the obligations of Domain Name Registrars (DNRs) and Registry Operators to prevent misuse of domain names, highlighting their failure to verify registrant details and comply with court orders. A dynamic+ injunction was granted against infringing domain names, and the court mandated banks to implement beneficiary name lookup facilities to prevent financial fraud. The application by GoDaddy.com LLC for deletion from the array of parties was dismissed.</p>

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<p>Court Orders e-KYC for Domain Registrations, Grants Dynamic Injunction Against Fake Websites</p> <p>Dabur India Limited vs. Ashok Kumar and Ors.</p> <p>(MANU/DE/1730/2025; 2025: DHC:11862)</p>	<p>The High Court of Delhi addressed the issue of fraudulent domain name registrations infringing trademarks, involving Dabur India Limited and others against Ashok Kumar and others. The court emphasized the obligations of Domain Name Registrars (DNRs) and Registry Operators to prevent misuse of domain names, highlighting their failure to verify registrant details and comply with court orders. The court directed DNRs to disclose registrant information upon legitimate requests, implement e-KYC verification, and refrain from default privacy protection.</p>
<p>Calcutta HC Flags Possible Bias in AI Search Results, Seeks Response from OpenAI.</p> <p>India Mart Inter Mesh Limited vs. Open AI Inc. and Ors.</p> <p>(MANU/WB/2923/2025)</p>	<p>The High Court of Calcutta addressed the issue of whether Open AI Inc. and others unlawfully excluded India Mart Inter Mesh Limited from appearing in ChatGPT search results based on a USTR review. India Mart argued this exclusion was arbitrary and discriminatory, as other entities named in the USTR report were not similarly excluded. The court noted a strong prima facie case for India Mart but refrained from granting interim relief without hearing the respondents, who were unrepresented.</p>
<p>Patent Rejection Set Aside as Delhi HC Criticises Lack of Reasoned Analysis.</p> <p>Osaka University vs. Assistant Controller of Patents and Designs</p> <p>(MANU/DE/2075/2025; 2025: DHC:11878)</p>	<p>The High Court of Delhi addressed the appeal by Osaka University against the Assistant Controller of Patents and Designs, who refused a patent application for "Bridged Artificial Nucleoside and Nucleotide" due to lack of inventive step and non-patentability under Sections 2(1)(j) and 3(d) of the Patents Act, 1970. The court found that the Controller's decision lacked proper analysis and reasoning, particularly in comparing the invention with prior art and assessing inventive step.</p>
<p>Prior User Wins: Delhi HC Removes 'BSM' Trademark from Register</p> <p>Bhupinder Mehta vs. Pradeep Bareja and Ors.</p> <p>(MANU/DE/2576/2025; 2025:DHC:11863)</p>	<p>The High Court of Delhi addressed a rectification petition filed by Bhupinder Mehta against Pradeep Bareja and others, seeking the removal of the trademark 'BSM' from the Register of Trade Marks. The court found that Bhupinder Mehta was the prior user of the 'BSM' mark since 2014, and the mark registered by Pradeep Bareja was deceptively similar, likely causing confusion. The court applied precedents from Sun Pharma Laboratories and Parle Products, emphasizing the importance of prior use and the likelihood of confusion.</p>

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<p>Delhi HC Confirms Jurisdiction Where Business Presence and Cause of Action Overlap</p> <p>Astral Ltd. vs. Ajay Enterprises</p> <p>(MANU/DE/4076/2025; 2025: DHC:11925)</p>	<p>The High Court of Delhi addressed whether it had territorial jurisdiction to hear a suit filed by Astral Ltd. against Ajay Enterprises, concerning trademark infringement and passing off. Astral Ltd. argued that the defendant's products were promoted nationwide, including in Delhi, where Astral has a subordinate office. The court, referencing precedents like Sanjay Dalia and Ultra Home, concluded that since part of the cause of action arose in Delhi and Astral has a subordinate office there, it has jurisdiction.</p>
<p>Inventor Gets Second Chance as Court Orders Fresh Patent Examination</p> <p>Resham Priyadarshini vs. Assistant Controller of Patents and Designs and Ors.</p> <p>(MANU/DE/6628/2025; 2025: DHC:12035)</p>	<p>The High Court of Delhi addressed the appeal by Resham Priyadarshini against the Assistant Controller of Patents and Designs, challenging the refusal of her patent application for a device for folding or bending an article. The court examined whether the claims met the requirements under Sections 10(4)(c), 10(5), and 2(1)(ja) of the Patents Act, 1970. It found that the claims were sufficiently defined and clear, contrary to the Controller's findings, and set aside the refusal.</p>
<p>'DECA-NEUROPHEN' Pulled Down After Court Finds Similarity with 'NUROFEN'</p> <p>Reckitt and Colman Overseas Health Limited Vs. IND Swift Limited and Ors.</p> <p>(MANU/DE/2751/2025; 2025: DHC:11867)</p>	<p>The High Court of Delhi addressed the dispute between Reckitt and Colman Overseas Health Limited and IND Swift Limited regarding the registration of the trademark 'DECA-NEUROPHEN'. The core issue was whether the impugned mark was deceptively similar to Reckitt's prior registered mark 'NUROFEN', potentially causing confusion.</p> <p>The High Court of Delhi addressed the dispute between Reckitt and Colman Overseas Health Limited and IND Swift Limited regarding the registration of the trademark 'DECA-NEUROPHEN'.</p>
<p>Procedural Error Not Fatal: Delhi HC Allows Pleading Correction with Costs</p> <p>Archidply Industries Limited vs. Archit Nuwood Industries Private Limited and Ors.</p> <p>(MANU/DE/5254/2025; 2025: DHC:11922)</p>	<p>The High Court of Delhi addressed whether Archidply Industries Limited could amend its pleadings to correct an affidavit error in its suit against Archit Nuwood Industries Private Limited and others. The court found that the error, involving a third-party signature on the affidavit, was inadvertent and did not affect the case's merits. Citing precedents like Varun Pahwa v. Renu Chaudhary, the court emphasized that procedural rules should not defeat substantive rights. The application to amend was allowed, subject to a cost of Rs. 25,000 to be paid to the Delhi High Court Staff Welfare Fund.</p>

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<p>Delhi HC Injuncts 'STARSMITH', Finds Trademark and Domain Name Infringement.</p> <p>A. O. Smith Corporation and Ors. vs. Star Smith Export Pvt. Ltd . and Ors.</p> <p>(MANU/DE/2947/2025; 2025: DHC:11885)</p>	<p>The High Court of Delhi addressed a trademark infringement dispute between A.O. Smith Corporation and Star Smith Export Pvt. Ltd., focusing on whether the defendants' use of "STARSMITH" and related marks infringed on the plaintiffs' "A.O. SMITH" trademarks. The court found that the defendants' marks were deceptively similar and likely to cause confusion, infringing on the plaintiffs' rights under Section 29(5) of the Trade Marks Act, 1999. Consequently, the court granted an interim injunction, restraining the defendants from using the impugned trade name and domain name,</p>
<p>No Patent Relief for Ericsson as Court Upholds Obviousness Finding</p> <p>Telefonaktiebolaget LM Ericsson (Publ) . vs . Controller General of Patents, Designs and Trademarks</p> <p>(MANU/DE/6634/2025; 2025: DHC:11927)</p>	<p>The High Court of Delhi addressed the appeal by Telefonaktiebolaget LM Ericsson (Publ) against the Controller General of Patents, Designs and Trademarks, challenging the rejection of their patent application for lack of inventive step under Section 2(1)(ja) of the Patents Act, 1970. The court examined whether the claimed invention, which involved separating ordered and unordered data delivery in a security protocol, was obvious in light of prior art documents D1 to D3. The court upheld the Controller's decision, finding that the claimed features were indeed obvious to a person skilled in the art, and dismissed the appeal, affirming the order dated 30.09.2019.</p>
<p>Employment Agreement Held Valid Proof of Patent Rights Assignment</p> <p>Nippon Steel Corporation vs . The Controller of Patents</p> <p>(MANU/DE/1912/2025; 2025: DHC:11876)</p>	<p>The High Court of Delhi addressed whether an employment agreement and declaration were sufficient to establish "proof of the right" under Section 7 of the Patents Act, 1970, in the case of Nippon Steel Corporation vs. The Controller of Patents. The court found that the employment agreement, signed by the deceased inventor Mr. Sano, was valid proof of assignment, contrary to the Controller's decision. The court set aside the Controller's order, directing the examination and potential grant of the patent application.</p>
<p>Patent Validity Questioned, Court Refuses Interim Injunction in Display Unit Dispute</p> <p>Amitoje India Pvt Ltd and Ors. vs. Classic Display Systems Pvt. Ltd.</p> <p>(MANU/DE/1759/2025; 2025: DHC:11991)</p>	<p>The High Court of Delhi addressed a dispute between Amitoje India Pvt Ltd and Classic Display Systems Pvt Ltd regarding an alleged patent infringement of a foldable product display unit. The core issue was whether the defendant's product infringed the plaintiff's patent and if the patent was valid. The court found that the defendant raised a credible challenge to the patent's validity, particularly under Section 64(1)(f) of the Patents Act, 1970, as the invention was deemed obvious in light of prior art.</p>

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<p>Execution Petition Closed After Compliance with Injunction and Damages Payment</p> <p>Meta Platforms INC vs. Noufelmalol and Ors.</p> <p>(MANU/DE/5722/2025; 2025: DHC:12032)</p>	<p>The High Court of Delhi addressed the execution petition filed by Meta Platforms Inc. against Noufel Malol and others, seeking enforcement of a permanent injunction and damages awarded in a prior judgment. The court found that the judgment debtors had substantially complied with the injunction by renaming their outlets and remitting the damages, albeit after delays partly attributed to the decree holder's inaction. The court dismissed the petition, noting that the decree was satisfied and that any future violations could be addressed through further legal action.</p>
<p>Delhi HC Cracks Down on Fake Domains, Orders Stronger Verification by Registrars</p> <p>Tata Sky Limited vs. S G Enterpreises - Tata Sky Sales and Services and Ors.</p> <p>(MANU/DE/7584/2025; 2025: DHC: 12004)</p>	<p>The High Court of Delhi addressed the appeal by Zeria Pharmaceutical Co Ltd against The Controller of Patents, noting that the patent in question expired during the appeal process, rendering the appeal infructuous. Consequently, the court disposed of the appeal without affirming the lower court's judgment, leaving the legal question open for future consideration. The High Court of Delhi addressed the issue of fraudulent domain name registrations infringing trademark rights, involving Tata Sky Limited and S G Enterprises.</p>
<p>Trademark Rectification Fails as Court Accepts Proof of Genuine Use</p> <p>Hubei Ji Su Kan Dian Technology Co. Ltd. vs . Lark Engineering Company (India) Pvt. Ltd. and Ors.</p> <p>(MANU/DE/4065/2025; 2025: DHC: 11926)</p>	<p>The High Court of Delhi addressed the dispute between Hubei Ji Su Kan Dian Technology Co., Ltd. and Lark Engineering Company (India) Pvt. Ltd. regarding the rectification of the trademark 'LARK' registered under Class 42. The core issue was whether Lark Engineering's trademark registration should be limited or removed due to alleged non-use and false claims of usage since 1994. The court found that Lark Engineering had sufficiently demonstrated bona fide use of the trademark in connection with its poultry and cattle feed machinery and associated software and hardware, thus satisfying the requirements under Section 47(1) of the Trade Marks Act, 1999.</p>
<p>Unauthorized Use of ® Symbol Backfires; Injunction on 'HP' Mark Upheld</p> <p>Ganraj Enterprises and Ors. vs . Landmark Crafts Pvt . Ltd and Ors .</p> <p>(MANU/DE/1265/2025; 2025: DHC: 11759-DB)</p>	<p>The High Court of Delhi addressed an appeal by Ganraj Enterprises (GE) against an interlocutory injunction granted to Landmark Crafts Pvt. Ltd (LC) by the Commercial Court, restraining GE from using the "HP" trademark. The core issue was whether GE's use of the "HP" mark infringed LC's registered trademark rights. The court found that LC had a prima facie valid registration of the "HP" mark, and GE's use of a similar mark, including the unauthorized use of the ® symbol, constituted infringement. The court upheld the Commercial Court's decision, dismissing GE's appeal and maintaining the injunction against GE.</p>

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<p>Ayurvedic Brand War Ends with Interim Protection for Established Mark</p> <p>Dindayal Industries Ltd. vs . Dindayal Ayurved Bhawan. and Ors .</p> <p>(MANU/DE/0496/2025;2025:DHC:11707-DB)</p>	<p>The High Court of Delhi addressed the dispute between Dindayal Industries Ltd. and Dindayal Ayurved Bhawan regarding the use of the trademark "DINDAYAL" for ayurvedic products. The court found that the plaintiff, Dindayal Industries Ltd., had established a prima facie case of trademark infringement and passing off, as the defendants' use of the mark "DINDAYAL" was likely to cause confusion and was not bona fide. The court set aside the lower court's order, which had denied an interim injunction, and restrained the defendants from using the "DINDAYAL" mark or any similar variant until the final disposal of the suit.</p>
<p>Prior Use Prevails; Damages Reduced but Infringement Finding Sustained</p> <p>Kirit Bhadiadra vs . Wings Pharmaceuticals Private Limited</p> <p>(MANU/DE/1395/2025; 2025:DHC:11709-DB)</p>	<p>The High Court of Delhi addressed the appeal by Kirit Bhadiadra against Wings Pharmaceuticals Pvt. Ltd., focusing on trademark infringement and passing off concerning the mark "MEDILICE." The court upheld the lower court's decision, affirming that Wings Pharmaceuticals had established prior use and goodwill since 2004, while Bhadiadra failed to prove prior use from 2000. The court found that both parties' products served similar purposes, leading to consumer confusion, thus constituting infringement and passing off. The court modified the punitive damages awarded, reducing them from Rs. 10,00,000 to Rs. 3,00,000, and dismissed the appeal.</p>
<p>Bombay HC Rejects 'HOM' Trademark Claim for Lack of Public Recognition</p> <p>Indian Express and Commercial Ventures and Projects Private Limited vs . Fundamental Hospitality Private Limited and Ors .</p> <p>(MANU/MH/9021/2025;2025:BHC-OS:25517)</p>	<p>The High Court of Bombay addressed a trademark infringement and passing off dispute between Indian Express and Commercial Ventures and Projects Private Limited (plaintiffs) and Fundamental Hospitality Private Limited and others (defendants) over the use of the trademark "HOM." The plaintiffs claimed that their registered trademark "House Of Mandarin" was popularly known as "HOM," and sought to prevent the defendants from using the same mark for their restaurant services. The court found insufficient evidence to support the plaintiffs' claim that "HOM" was widely recognized as their brand identifier, noting the lack of substantial public association and documentation.</p>
<p>Court Bars Parallel Patent Challenges, Calls Out Forum Shopping</p> <p>Versuni Holding Bv vs . Maya Appliances Private Limited and Ors .</p> <p>(MANU/TN/5920/2025)</p>	<p>The High Court of Madras addressed a dispute between Versuni Holding B.V. and Maya Appliances Private Limited regarding the revocation of an Indian patent held by Versuni. The core issue was whether Maya Appliances could file a revocation petition after having already raised a counter-claim for revocation in a related suit before the Delhi High Court. The court, referencing Section 64 of the Patents Act and the precedent set by the Supreme Court in <i>Alloys Wobben v. Yogesh Mehra</i>.</p>

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<p>Identical Edible Oil Trademark Leads to Injunction and ₹5 Lakh Costs</p> <p>Bunge India Pvt. Ltd. vs . Lotus Refinery Pvt. Ltd. and Ors. (MANU/MH/8962/2025 2025: BHC-OS:25319)</p>	<p>The High Court of Bombay addressed a trademark infringement and passing off dispute between Bunge India Pvt. Ltd. and Lotus Refinery Pvt. Ltd. and others. The core issue was whether the defendants' use of the "LOTUS" trademark for edible oils infringed on the plaintiff's registered trademark and constituted passing off. The court found that the defendants' marks were identical to the plaintiff's registered trademarks and used identical goods, thus infringing under Section 29(2) (c) of the Trademarks Act, 1999. The court decreed in favor of Bunge India Pvt. Ltd., granting injunctions against the defendants and awarding costs of Rs. 5 lakhs, citing the defendants' failure to contest the suit and dishonest adoption of the mark.</p>
<p>Fresh Not Frozen' Rejected as Too Close to Existing</p> <p>MarkFreshtohome Foods Private Limited vs. The Registrar of Trademarks (MANU/TN/5954/2025; 2026: MHC:1)</p>	<p>The High Court of Madras addressed the issue of whether the trademark 'FRESH NOT FROZEN' sought by Freshtohome Foods Private Limited was deceptively similar to the existing registered trade mark 'FRESH N FROZEN' under class 35. The court found that the marks were indeed deceptively similar, as the only difference was the addition of 'OT', which could mislead consumers. The court upheld the Registrar of Trademarks' decision to reject the application, citing Sections 9 and 11 of the Trademarks Act. The appeal was dismissed, but the appellant was allowed to submit a new application for a different trademark.</p>
<p>Commercial Courts Act Overrides CPC Stay, Trial Allowed to Proceed</p> <p>Kirti Dal Mills Limited vs. Rajesh Lunkad (MANU/MH/8845/2025;2025: BHC-AUG:35919)</p>	<p>The High Court of Bombay addressed whether the Commercial Court at Latur could proceed with Commercial Suit No. 1 of 2024, filed by Kirti Dal Mills Limited against Rajesh Lunkad, despite a stay under Section 10 of the CPC due to a pending earlier suit in Pune. The court found that the Pune court lacked jurisdiction as it was not designated as a Commercial Court under the Commercial Courts Act, 2015, and thus could not grant the relief sought. The court quashed the stay order, allowing the Latur court to proceed with the case, emphasizing the overriding effect of the Commercial Courts Act over the Trademarks Act.</p>
<p>No Trade Use, No Case: Delhi HC Rejects Trademark Suit at Threshold</p> <p>Westend Green Farms Society vs. Vicky Kakkar MANU/DE/0607/2025; 2025: DHC:11652-DB</p>	<p>The High Court of Delhi addressed the appeals by Westend Green Farms Society against Vicky Kakkar, challenging the rejection of their plaints by the Commercial Court under Order VII Rule 11(a) of the CPC for not disclosing a cause of action. The core issue was whether the use of the "WESTEND GREENS" trademark by the respondent's constituted infringement or passing off. The court found that the appellant failed to demonstrate that the respondents used the trademark "in the course of trade" or engaged in any commercial activity linked to the trademark.</p>

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<p>Madras HC Orders Perjury Probe Over False Trademark Claims</p> <p>Mohammed Usman Sait vs . Mohammed Saleem Sait (MANU/TN/5879/2025)</p>	<p>The High Court of Madras addressed the issue of alleged perjury by Mohammed Saleem Sait, who was accused by Mohammed Usman Sait of making false statements in a counter affidavit regarding the use of the trademark "Joonus Sait." The court found that the respondent knowingly made false statements, as evidenced by the MoUs, and directed the jurisdictional Magistrate to investigate the perjury. Additionally, the court condoned a 71-day delay in filing a written statement by the defendant due to his age and health issues, allowing the statement to be recorded.</p>
<p>Prior User Triumphs as 'MR' Trademark Cancelled Prasanna Anjaneya</p> <p>Prasanna Anjaneya Agrotech vs. MR Enterprises and Ors. (MANU/TN/5884/2025)</p>	<p>The High Court of Madras addressed the dispute between Prasanna Anjaneya Agrotech and MR Enterprises regarding the trademark "MR" registered by the latter. The core issue was whether MR Enterprises' trademark registration should be invalidated due to Prasanna Anjaneya Agrotech's prior use of a similar mark, "MR GOLD," for rice products. The court found that Prasanna Anjaneya Agrotech had established prior use of the trademark since 2017, supported by invoices and the previous business relationship with MR Enterprises.</p>
<p>Trademark Removed for Non-Use After Five Years of Silence</p> <p>Crompton Greaves Consumer Electricals Limited vs. Wipro Enterprises Private Limited and Ors . (MANU/TN/5889/2025)</p>	<p>The High Court of Madras addressed whether the trademark "PREMIO," registered by Wipro Enterprises Private Limited, should be removed due to non-use, as claimed by Crompton Greaves Consumer Electricals Limited. Crompton argued that Wipro had not used the trademark for over five years, obstructing their application for a similar mark, "PREMION." Wipro contended that Crompton adopted "PREMION" in bad faith. The court found that Wipro failed to prove the use of "PREMIO" and ruled in favor of Crompton, ordering the removal of "PREMIO" from the register under Section 47(1)(b) of the Trademarks Act, 1999.</p>
<p>Invalid MOU Defeats Trademark Claim; Appeal Dismissed by Madras HC</p> <p>Dasaprakash Restaurant and Ice Cream Parlour Pvt. Ltd. vs. The Deputy Registrar of Trademarks and Ors. (MANU/TN/5773/2025)</p>	<p>The High Court of Madras addressed the appeal by Dasaprakash Restaurant and Ice Cream Parlour Pvt. Ltd. against the Deputy Registrar of Trademarks' decision to reject their application to record rights over the "Dasaprakash" trademark. The core issue was whether the appellant had validly acquired rights to the trademark through a Memorandum of Understanding (MOU) with Balakrishna Rao, a co-proprietor. The court found that the MOU was not a valid agreement as the appellant's company did not exist at the time of its signing, and Rao, later declared insolvent, could not transfer rights.</p>