

IPR Judgment

February 2026



Case Name and Citation	Case Brief
<p>Commercial Court Cannot Dismiss Suit Merely Due to Local Commissioner's Visit to Unauthorized Premises, Appeal Allowed</p> <p>Rashi Santosh Soni and Ors. vs. Rajesh Sharma and Ors.</p> <p>(MANU/DE/0872/2026; 2026: DHC:936-DB)</p>	<p>The High Court of Delhi addressed the dismissal of a suit by the Commercial Court, which was based on the Local Commissioner visiting unauthorized premises. The parties involved were Rashi Santosh Soni and others as appellants, Rajesh Sharma and others as respondents. The court found no legal basis for dismissing the suit due to the Local Commissioner's actions and noted the lack of evidence for alleged collusion between the appellants' counsel and the Local Commissioner. The court quashed the Commercial Court's order, restored the suit to its original position, and scheduled further proceedings for February 25, 2026, thereby allowing the appeal</p>
<p>Hero Electric Wins Trademark Battle; Permanent Injunction Granted for Misuse of 'Hero Electric' Name</p> <p>Hero Electric Vehicles Private Limited and Ors. vs . Nitish Kumar and Ors .</p> <p>(MANU/DE/0774/2026;2026: DHC:903)</p>	<p>The High Court of Delhi addressed a dispute where Hero Electric Vehicles Private Limited and others sought a permanent injunction against Nitish Kumar and others for unauthorized use of their trademarks and copyrights, including soliciting dealership inquiries under the name "Hero Electric." The court found that the defendants used deceptive means to mislead the public and infringe on the plaintiffs' trademarks. As the defendants did not appear or file a defense, the court granted a permanent injunction, awarded Rs. 20,00,000 in damages, and Rs. 3,00,000 in litigation costs to the plaintiffs</p>

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<p>‘Principal Choice’ Found Infringing ‘Officer’s Choice’; Permanent Injunction Granted in Trademark Dispute</p> <p>Allied Blenders and Distillers Limited vs . Batra Breweries and Distilleries Private Limited and Ors (MANU/DE/0775/2026;2026: DHC:904)</p>	<p>The High Court of Delhi addressed a trademark infringement dispute between Allied Blenders and Distillers Limited and Batra Breweries and Distilleries Private Limited, among others. The core issue was whether the defendants' use of the mark "Principal Choice" infringed on the plaintiff's well-known trademark "Officer's Choice." The court found that the plaintiff's trademark had acquired distinctiveness and secondary meaning due to long and continuous use since 1988. The defendants, having failed to file a written statement, were proceeded with the ex parte. The court granted a decree of permanent injunction against the defendants, restraining them from using the infringing mark, while the plaintiff waived claims for damages and costs.</p>
<p>Patent Rejection for Herbal Painkiller Set Aside; Fresh Examination Ordered After Biodiversity Approval</p> <p>Manu Chaudhary vs . Controller of Patents and Design (Manu/DE/0934/2026 (;2026: DHC:1095)</p>	<p>The High Court of Delhi addressed the appeal by Manu Chaudhary against the Controller of Patents and Designs, challenging the refusal of her patent application for an oral herbal painkiller. The court found that the refusal was premature, as the appellant had applied for, but not yet received, necessary approval from the National Biodiversity Authority (NBA) before the decision. The court directed the Controller to re-examine the application, considering the NBA approval and allowing the appellant to be represented by a patent agent or counsel. The appeal was disposed of with instructions for a decision within two months, leaving the question of non-patentability open for further consideration.</p>
<p>‘Flying Bird’ Logo Dispute: Injunction in Favour of Reckitt Benckiser Upheld</p> <p>Sauss Home Products Private Limited vs . Reckitt Benckiser India Private Limited (MANU/DE/1292/2026; 2026:DHC:1507)</p>	<p>The High Court of Delhi addressed the appeal by Sauss Home Products Private Limited against Reckitt Benckiser India Private Limited concerning alleged trademark and copyright infringement. The core issue was whether Sauss Home Products' use of a "Flying Bird" logo infringed on Reckitt Benckiser's registered trademark and copyright, and whether the Delhi High Court had territorial jurisdiction. The court upheld the Single Judge's decision granting an interlocutory injunction to Reckitt Benckiser, restraining Sauss Home Products from using the disputed logo, citing Reckitt's prior use and goodwill. The appeal was dismissed, affirming the injunction and rejecting Sauss Home Products' claims of prior use and jurisdictional objections.</p>
<p>‘AiC ARUN’ Held Deceptively Similar to ‘ARUN’; Trademark Register Directed to Be Rectified</p> <p>Satya Paul vs . Alka Industrial Corporation and Ors. (MANU/DE/0906/2026; 2026: DHC:1038)</p>	<p>The High Court of Delhi addressed the dispute between Satya Paul and Alka Industrial Corporation regarding the trademark "AiC ARUN," which Satya Paul sought to cancel, claiming it was deceptively similar to their long-used trademark "ARUN." The court found that Satya Paul had established prior use and registration of the "ARUN" trademark since 1962, while Alka Industrial Corporation's registration was much later. The court concluded that "AiC ARUN" was deceptively similar to "ARUN" and ordered the removal of "ARUN" from Alka's trademark, allowing them to use "AiC" alone. The Registrar of Trade Marks was directed to rectify the register accordingly within six weeks.</p>

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<p>Patent Refusal Quashed After Failure to Apply Proper Inventive Step Test</p> <p>PPC Broadband Inc vs . The Assistant Controller of Patents and Designs and Ors .(MANU/DE/1102/2026; 2026: DHC:1298)</p>	<p>The High Court of Delhi addressed the appeal by PPC Broadband Inc against the Assistant Controller of Patents and Designs, challenging the refusal to grant a patent for 'REEL ENCLOSURES' under Section 2(1) (ja) of the Patents Act, 1970. The court found that the Respondent failed to consider amended claims and did not follow the five-step test for determining inventive step as established in F. Hoffman-La Roche Ltd. v. Cipla Ltd.</p>
<p>'ONE FOR ALL' Mark for Educational Books Held Capable of Registration</p> <p>Oswaal Books and Learnings Private Limited vs The Registrar of Trademark (MANU/DE/1089/2026; 2026:DHC:1249-DB)</p>	<p>The High Court of Delhi addressed the issue of whether the trademark "ONE FOR ALL" could be registered under Class 16 for educational books, as Oswaal Books and Learnings Private Limited's application was initially refused for lacking distinctiveness. The court found that the mark was not inherently descriptive of books and could be suggestive, thus capable of registration. The court disagreed with the Single Judge's view that the mark was a common, laudatory phrase and set aside the previous orders, restoring the application to its prior status for further processing.</p>
<p>No Trademark Confusion Between 'Golden Eagle' and 'Golden Kingfisher', Appeal Dismissed</p> <p>Sanjay Gupta and Ors. vs . Vineet Jain (MANU/DE/1054/2026;2026: DHC:1248-DB)</p>	<p>The High Court of Delhi addressed the appeal by Sanjay Gupta and others against Vineet Jain, challenging the Commercial Court's refusal to grant an ex parte ad interim injunction and appoint a local commissioner to seize allegedly infringing goods. The court found no error in the Commercial Court's decision, which determined that the trademarks "GOLDEN EAGLE" and "GOLDEN KINGFISHER" were not similar enough to cause confusion or constitute infringement. The court also found no evidence of passing off or copyright infringement. Citing precedents like Wander Ltd. v. Antox India (P) Ltd., the court emphasized the limited scope for appellate interference in discretionary orders.</p>
<p>7-Eleven Fails to Secure 'Big Bite' Trademark in India; Territorial Reputation Principle Reaffirmed</p> <p>7 - Eleven International LLC vs . The Deputy Registrar of Trade Marks, Chennai and Ors (MANU/TN/0442/2026;2026: MHC:542)</p>	<p>The High Court of Madras addressed the dispute between 7-Eleven International LLC and The Deputy Registrar of Trademarks, Chennai, regarding the registration of the "Big Bite" trademark in India. The core issue was whether 7-Eleven's international use of the "Big Bite" mark since 1988 could override the third respondent's (M/s. Dukes Consumer Care Limited, now M/s. Ravi Foods Private Limited) use of the same mark in India since 2004. The court emphasized the territoriality principle, requiring proof of goodwill and reputation within India, which 7-Eleven failed to demonstrate. Consequently, the court upheld the Registrar's decision to reject 7-Eleven's application and accept the third respondent's, dismissing the appeals.</p>

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<p>Copyright Opposition Order Set Aside After Registrar Misinterprets 'Person Interested' Requirement</p> <p>Fornnax Technology Private Limited vs . The Registrar of Copyrights and Ors . (MANU/DE/1145/2026; 2026: DHC:1295)</p>	<p>The High Court of Delhi addressed the appeal by Fornnax Technology Private Limited against the Registrar of Copyrights, focusing on whether the opposition to a copyright application by respondents, who were not "persons interested," was valid under the Copyright Act, 1957. The court found that the Registrar improperly equated "persons aggrieved" with "persons interested," and failed to provide the appellant an opportunity to rebut evidence.</p>
<p>Patent Restoration Allowed After Agent's Failure to Pay Renewal Fees During Pandemic</p> <p>Green Energy Resources , Sambalpur vs . Union of India and Ors . (MANU/OR/0237/2026;)</p>	<p>The High Court of Orissa addressed whether Green Energy Resources, Sambalpur could apply for the restoration of its patent, which expired on September 22, 2021, due to non-payment of renewal fees by the authorized agent. The court considered the negligence of the patent agent and the impact of the COVID-19 pandemic, referencing precedents from the Delhi High Court that support leniency in such cases.</p>
<p>Authorities Directed to Decide Multiple Pre-Grant Patent Oppositions Within Fixed Timeline</p> <p>Merck Sharp and Dohme B . V vs . The Union of India and Ors . (MANU/TN/0514/2026)</p>	<p>The High Court of Madras addressed the issue of delays in processing pre-grant oppositions to Merck Sharp & Dohme B.V.'s patent application for the compound acalabrutinib. The court noted that the Union of India and other respondents failed to act promptly, leading to multiple oppositions and potential prejudice against the petitioner. The court directed Merck to respond to the latest opposition within four weeks and ordered the third respondent to resolve all pending oppositions within three months, ensuring compliance with Rule 55(3) of the Patents (Amendment) Rules, 2024.</p>
<p>'Chacha' Recognised as Distinctive Mark for Garments; Interim Injunction Granted</p> <p>Chacha Saree Bazar Pvt . Ltd. and Ors. vs . Chacha Cloth House (MANU/DE/1088/2026;2026: DHC:1296-DB)</p>	<p>The High Court of Delhi addressed the issue of trademark infringement between Chacha Saree Bazar Pvt. Ltd. and Chacha Cloth House, focusing on whether "Chacha" is a distinctive mark for sarees and garments. The court found that the lower court erred in dismissing the interim injunction, as "Chacha" is distinctive in this context and the marks are deceptively similar. The court granted an interlocutory injunction, restraining Chacha Cloth House from using the disputed marks pending the suit's outcome, citing precedents like Midas Hygiene Industries and emphasizing the anti-dissection rule. The appeal was allowed, and the interim injunction was reinstated.</p>

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<p>Use of 'Lotus Splash' Restrained for Likely Confusion with 'Lotus' Trademark</p> <p>Lotus Herbals Private Limited vs . DPKA Universal Consumer Ventures Private Limited and Ors . (MANU/DE/1077/2026; 2026:DHC:1300-DB)</p>	<p>The High Court of Delhi addressed the dispute between Lotus Herbals Private Limited and DPKA Universal Consumer Ventures Private Limited regarding the alleged trademark infringement of "Lotus Splash." The court examined whether the use of "Lotus Splash" by the respondents was descriptive or suggestive, ultimately finding it to be used as a trademark rather than a descriptor. The court concluded that the respondents' use of "Lotus Splash" was likely to cause confusion with the appellant's registered trademark "Lotus," and thus did not qualify for the descriptive use exemption under Section 30(2)(a) of the Trade Marks Act, 1999.</p>
<p>Patent Infringement Suit Cannot Be Withdrawn With Conditional Liberty Without Sufficient Grounds</p> <p>Pawan Kumar Goel vs . Dhan Singh and Ors . (MANU/DE/1134/2026;Neutral Citation: 2026:DHC:1333)</p>	<p>The High Court of Delhi addressed a suit filed by Pawan Kumar Goel against Dhan Singh and others, seeking a permanent injunction for patent infringement related to the extraction process of Alpha Yohimbine. The plaintiff sought to withdraw the suit with the liberty to refile if the defendants used a specific plant species, but the court denied this request under Order XXIII Rule (1)(3)(b) of the CPC, finding no sufficient grounds for conditional withdrawal.</p>
<p>Trademark Renewal Allowed Where Registrar Failed to Send Mandatory Renewal Notice</p> <p>Coldsmiths Retail Services Private Limited vs . Registrar of Trade Marks (MANU/DE/1141/2026; 2026:DHC:1332)</p>	<p>The High Court of Delhi addressed the issue of whether Coldsmiths Retail Services Private Limited's trademarks should be removed from the Register of Trademarks due to non-renewal, despite the company not receiving the mandatory renewal notices. The court found that the Registrar of Trademarks failed to send notices to the correct authorized agent, as required by Section 25(3) of the Trademarks Act, 1999. Citing the precedent set in Charanjiv Kumar Taneja vs. Registrar of Trade Marks, the court allowed Coldsmiths to file for renewal of its trademarks within ten days, directing the Registrar to process the applications accordingly.</p>
<p>Trademark Dispute Over 'FIONA' Ends in Settlement; Rights Acknowledged by Defendant</p> <p>Vikas Electricals India vs . Dev Enterprises and Ors . (MANU/DE/1300/2026; 2026:DHC:1431-DB)</p>	<p>The High Court of Delhi addressed a trademark dispute between Vikas Electricals India, represented by Mr. Vikas Gupta, and Dev Enterprises, represented by Mr. Radhey Shyam Sharma, concerning the use of the trademark "FIONA." The parties reached a settlement where Dev Enterprises acknowledged Vikas Electricals' rights to the trademark and agreed to cease its use. The court found the settlement legal and enforceable, set aside the previous order, and disposed of the appeal and related suit in terms of the settlement.</p>

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<p>Use of Publicly Available University Information on Website Not Misrepresentation</p> <p>Getmyuni Education Services Private Limited vs . Mangalayatan University and Ors . (MANU/DE/1136/2026; 2026:DHC:1394)</p>	<p>The High Court of Delhi addressed the dispute between Getmyuni Education Services Private Limited and Mangalayatan University and others, focusing on whether Getmyuni could use publicly available information about the universities on its website. The court found that Getmyuni did not misrepresent or disparage the universities' rankings, which were based on publicly available data. The court set aside the trial court's orders that had restrained Getmyuni from using the universities' information, concluding that the respondents failed to establish a prima facie case. The appeals were disposed of, allowing Getmyuni to continue using the information.</p>
<p>Patent Rejection Set Aside for Lack of Reasoned Analysis on Inventive Step</p> <p>Fertin Pharma A / S vs . Assistant Controller of Patents and Designs (MANU/DE/1289/2026;2026:DHC:1498)</p>	<p>The High Court of Delhi addressed an appeal by Fertin Pharma A/S against the Assistant Controller of Patents and Designs, challenging the rejection of their patent application. The court found that the impugned order lacked clarity and sufficient reasoning, particularly in its reliance on prior art documents without adequately explaining how the claims failed to meet the inventive step requirement under Section 2(1)(ja) of the Patents Act. Consequently, the court set aside the order and remanded the matter for de novo consideration by a different Assistant Controller, directing that the process be completed within four months.</p>
<p>'SUPER ASIAN PLUS' Held Deceptively Similar to 'ASIAN PAINTS'; Permanent Injunction Granted</p> <p>Asian Paints Limited vs . Manju Rani Jindal and Ors (MANU/MH/1810/2026; 2026:BHC-OS:5044)</p>	<p>The High Court of Bombay addressed the issue of trademark infringement and passing off between Asian Paints Limited and Manju Rani Jindal and others. Asian Paints claimed that the defendants used the mark "SUPER ASIAN PLUS," which was deceptively similar to their registered trademarks "ASIAN PAINTS" and "ASIAN," for similar goods, causing confusion and damage to their brand. The court found that the defendants' mark was indeed deceptively similar and that the defendants acted in bad faith. The court decreed in favor of Asian Paints, granting a permanent injunction against the defendants and awarding costs of Rs. 3,00,000 each to be paid by the defendants.</p>
<p>Late Documents in Commercial Suit Allowed Only Where Filed After Institution of Proceedings</p> <p>Fintree Education Pvt . Ltd . and Ors . vs . Fintree Finance Pvt . Ltd . (MANU/MH/1818/2026; 2026:BHC-OS:5031)</p>	<p>The High Court of Bombay addressed whether Fintree Education Pvt. Ltd. and others could amend their suit against Fintree Finance Pvt. Ltd. to include additional documents and pleadings. The plaintiffs sought to introduce documents in response to the defendant's affidavit and those obtained after the suit's filing. The court emphasized the mandatory disclosure requirements under the Commercial Courts Act, 2015, and allowed only documents that came into existence post-filing or were necessary for pre-trial amendments</p>

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<p>‘ZEKODOL-P’ Held Deceptively Similar to ‘ZERODOL’; Pharmaceutical Trademark Protected</p> <p>IPCA Laboratories Limited vs . Rikon Pharmaceuticals Pvt Ltd (MANU/MH/1809/2026; 2026:BHC-OS:5035)</p>	<p>The High Court of Bombay addressed the issue of trademark infringement and passing off between IPCA Laboratories Limited and Rikon Pharmaceuticals Pvt Ltd. The court found that Rikon's use of the mark ZEKODOL-P was deceptively similar to IPCA's registered trademark ZERODOL, both used for medicinal products, creating a likelihood of confusion. The court noted Rikon's failure to appear or contest the proceedings, indicating dishonest adoption of the mark. The court decreed in favor of IPCA, granting a permanent injunction against Rikon and awarding costs of Rs. 15,00,000 to IPCA, with interest applicable if unpaid within eight weeks</p>
<p>Patent Revocation Petition Maintainable Even After Patent Expiry</p> <p>Boehringer Ingelheim Pharma Gmbh and CO KG vs . The Controller of Patents and Ors .</p> <p>(MANU/DE/1359/2026; 2026:DHC:1609-DB)</p>	<p>The High Court of Delhi addressed whether a revocation petition under Section 64 of the Patents Act can be maintained after a patent has expired or if a Section 107(1) invalidity defense has been raised in an infringement suit. Boehringer Ingelheim Pharma GmbH appealed against the decision allowing Macleods Pharmaceuticals to continue its revocation petition despite these circumstances. The court reasoned that revocation acts retrospectively, invalidating the patent from the date of grant, and that a revocation petition and a Section 107 defense serve different legal purposes.</p>
<p>‘KREOFLAT’ Ordered to Be Removed from Trademark Register for Similarity with ‘PANKREOFLAT’</p> <p>Abbott Products Operations AG vs . Aprajita Sushma Proprietor of Alrom Pharmaceuticals Pvt . Ltd . and Ors .</p> <p>(MANU/DE/1495/2026; 2026:DHC:1721)</p>	<p>The High Court of Delhi addressed the issue of trademark infringement between Abbott Products Operations AG and Aprajita Sushma, proprietor of Alrom Pharmaceuticals Pvt. Ltd., regarding the marks "PANKREOFLAT" and "KREOFLAT." The court found that "KREOFLAT" was deceptively similar to the well-established "PANKREOFLAT," which had prior use and registration. The court emphasized the stringent test for similarity in pharmaceutical trademarks due to potential public harm. Consequently, the court ordered the removal of "KREOFLAT" from the Register of Trade Marks, directing the Registrar to complete this within four weeks.</p>
<p>Patent Rejection Set Aside for Failure to Grant Mandatory Hearing Under Section 14</p> <p>AIC246 AG and Co . KG vs . The Patent Office of India and Ors .</p> <p>(MANU/MH/2111/2026</p>	<p>The High Court of Bombay addressed the issue of whether AIC246 AG & Co. KG was denied a mandatory hearing under Section 14 of the Patents Act before the rejection of its patent application by the Controller of Patents. The court found that the Controller failed to provide this hearing, which is a statutory right, and improperly merged the examination and opposition processes. Citing precedents like Novartis AG v. Natco Pharma, the court emphasized the distinct nature of these processes.</p>

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<p>'BABY FOREST' Not Similar to 'FOREST ESSENTIALS'; Injunction Refused in Trademark Dispute</p> <p>Mountain Valley Springs India Private Limited vs . Baby Forest Ayurveda Private Limited and Ors.</p> <p>(MANU/DE/1479/2026; 2026:DHC:1756)</p>	<p>The High Court of Delhi addressed the dispute between Mountain Valley Springs India Private Limited and Baby Forest Ayurveda Private Limited regarding the use of the trademarks 'BABY FOREST' and 'BABY FOREST-SOHAM OF AYURVEDA'. The court examined whether these marks were deceptively similar to Mountain Valley's 'FOREST ESSENTIALS' trademarks. The court found that the word 'FOREST' is generic and that the marks were not deceptively similar, applying the anti-dissection rule and considering the overall impression of the marks. The court upheld the Single Judge's decision to deny an interim injunction, dismissing the appeal, while noting that the initial confusion test was misapplied but did not affect the outcome.</p>
<p>Trademark Opposition Deemed Abandoned for Missing Statutory Evidence Filing Deadline</p> <p>International Business Machines Corporation vs . Tivoli Gardens and Ors.</p> <p>(MANU/DE/1471/2026; 2026:DHC:1831)</p>	<p>The High Court of Delhi addressed the appeal by International Business Machines Corporation against Tivoli Gardens and others, challenging the Assistant Registrar of Trade Marks' decision to allow Tivoli Gardens' delayed evidence submission in an opposition proceeding. The court found that the Registrar had no discretion to extend the strict timelines for filing evidence under both the 2002 and 2017 Trade Marks Rules, leading to the opposition being deemed abandoned. The court set aside the Registrar's order, allowing IBM's appeal, and directed compliance with this judgment by the Registrar of Trade Marks.</p>
<p>Addition of Witnesses Rejected Due to Lack of Sufficient Cause in Ongoing Trademark Suit</p> <p>Innovative Derma Care vs . Vardhaman Skincare Pvt Ltd and Ors .</p> <p>(MANU/DE/1472/2026;2026:DHC:1829)</p>	<p>The High Court of Delhi addressed a petition by Innovative Derma Care seeking to set aside a trial court order that denied their request to add two additional witnesses in a trademark infringement case against Vardhaman Skincare Pvt Ltd and others. The court reasoned that Innovative Derma Care failed to provide sufficient cause for not including the witnesses earlier, as required under Order XVI Rule 1 of the CPC, and noted the lack of evidence supporting their claims of health and work-related issues. Citing the case's prolonged duration and previous allowances for additional witnesses, the court dismissed the petition, upholding the trial court's decision.</p>
<p>Interim Injunction Granted Against Use of 'NOVIETS' Mark for Pharmaceutical Products</p> <p>Novartis AG and Ors . vs . Noviets Pharma and Ors .</p> <p>(MANU/DE/1475/2026:2026:DHC:1827)</p>	<p>The High Court of Delhi addressed a trademark infringement dispute between Novartis AG and Noviets Pharma, focusing on whether Noviets' use of the mark "NOVIETS" infringed upon Novartis' trademark "NOVARTIS." The court found that the marks were deceptively similar, likely to cause confusion, and that Noviets' use was dishonest, infringing upon Novartis' established goodwill and reputation. The court granted an interim injunction, restraining Noviets from using the "NOVIETS" mark in connection with pharmaceuticals, emphasizing the need to prevent consumer confusion and protect public health.</p>