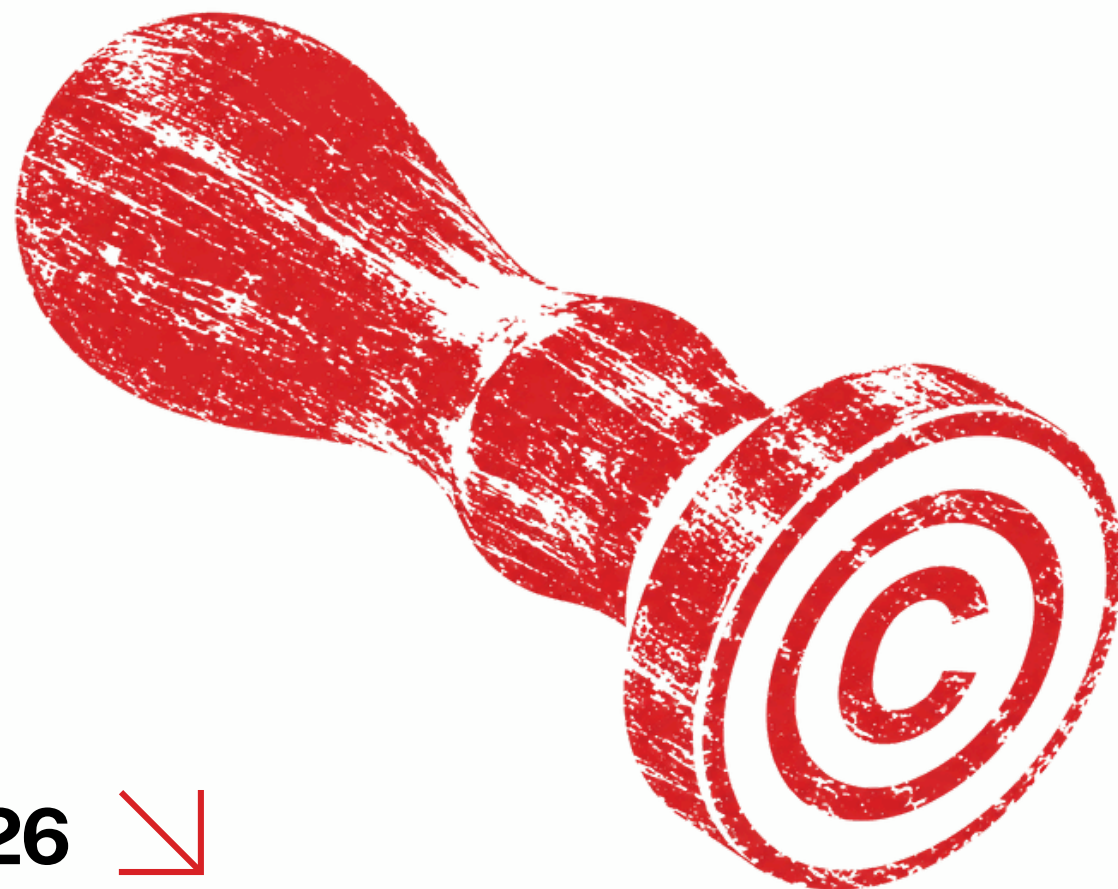




IPR Law Judgments

A Monthly Wrap | August 2026 

Title and Case details	Case Brief
Supreme Court Restores Right to Question Respondent on Trademark Usage in Infringement Suit Shabu K.N. Achary vs. Dharampal Premchand Limited (MANU/SC/0828/2026: 2026 INSC 819)	The Supreme Court of India addressed whether Shabu K.N. Achary, the appellant, could question Dharampal Premchand Limited, the respondent, about the brand name's usage, which was central to the alleged trademark infringement and damages claim. The High Court had previously disallowed this question due to the absence of the appellant's written statement on record. The Supreme Court found that even without the written statement, the appellant was entitled to question the respondent about the brand name usage duration. Consequently, the Court reversed the High Court's order, allowed the appeal, and directed the trial to proceed with the respondent's recall for questioning, without commenting on the case's merits.
Delhi HC Remands T-Mobile Patent Case, Establishes Guidelines on Section 3(m) T-Mobile International AG and Co. KG. vs. The Controller General of Patents, Designs and Trademarks and Ors. (MANU/DE/5538/2026: 2026: DHC:6266)	The High Court of Delhi addressed the appeal by T-Mobile International AG and Co. KG against the Controller General of Patents, Designs and Trademarks, challenging the refusal of a patent application under Sections 3(k) and 3(m) of the Patents Act, 1970. The court identified a lack of guidelines for evaluating objections under Section 3(m) and, with the assistance of an amicus curiae, developed draft guidelines to clarify the application of this section, emphasizing that claims involving physical means or technical implementation are not excluded. The appeal was remanded for reconsideration, and the court finalized the guidelines, closing the appeal.

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Delhi HC Emphasises Due Process in Trademark Removal, Restores 'BLUE CHIP' Registration Amrit Singh Mehta vs. Controller General of Patents, Designs and Trademarks (MANU/DE/5519/2026: 2026: DHC:6357)	The High Court of Delhi addressed the issue of whether the trademark registration for 'BLUE CHIP' should be restored after it was removed due to non-renewal. The parties involved were Amrit Singh Mehta and the Controller General of Patents, Designs, and Trademarks. The court found that the petitioner did not receive the registration certificate or the mandatory renewal notice, which violated Section 25(3) of the Trademarks Act, 1999. Citing precedents like <i>Union of India v. Malhotra Book Depot (MANU/DE/6847/2011)</i>, the court emphasized the necessity of procedural compliance before removal. The court ordered the restoration of the trademark and allowed the petitioner to apply for renewal within six weeks.
Delhi HC Upholds Rejection of Tramadol-Coxib Co-Crystal Patent for Lack of Inventive Step Esteve Pharmaceuticals S.A. vs. Controller of Patents and Designs (MANU/DE/5733/2026: 2026: DHC:6408)	The High Court of Delhi addressed the appeal by Esteve Pharmaceuticals S.A. against the Controller of Patents and Designs, challenging the rejection of their patent application for "Co-crystals of Tramadol and Coxibs" due to lack of inventive step under Section 2(1) (ja) of the Patents Act, 1970. The court found that prior art documents D5 and D7 disclosed similar combinations and methods, rendering the claimed invention obvious. Consequently, the court upheld the rejection of the patent application and dismissed the appeal, without examining other objections under Sections 3(d) and 3(e) of the Act.
Delhi HC Permits Limited Sale of Existing Stock in Emami-Dabur Trademark Dispute Emami Limited vs. Dabur India Limited (MANU/DE/5740/2026: 2026: DHC:6466-DB)	The High Court of Delhi addressed an appeal by Emami Limited against Dabur India Limited concerning a trademark infringement dispute over Dabur's "Cool King Thanda Tel" product. The core issue was whether Dabur could sell its existing stock of the infringing product after an interim injunction was upheld by a Division Bench. The court found that the Single Judge lacked jurisdiction to modify the injunction of post-appeal, as the judgment had merged with the Division Bench's decision. However, the court allowed Dabur to dispose of its existing stock under strict conditions, emphasizing that unsold stock must be recalled by a specified date. The appeal was allowed, and Dabur's application for modification was dismissed.

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Delhi HC Upholds Injunction Against ‘ALDER BIOCHEM’, Finding It Deceptively Similar to Zydus’ ‘BIOCHEM’ Trademark Alder Biochem Private Limited vs. Zydus Healthcare Limited and Ors. (MANU/DE/5785/2026: 2026: DHC:6590-DB)	The High Court of Delhi addressed the dispute between Alder Biochem Private Limited and Zydus Healthcare Limited regarding the use of the trademark "BIOCHEM." The core issue was whether Alder's use of "ALDER BIOCHEM" infringed on Zydus's registered trademark "BIOCHEM." The court found that Zydus had established a prima facie case of trademark infringement, noting the deceptive similarity between the marks and the potential for consumer confusion, especially in the pharmaceutical sector. The court upheld the interim injunction granted by the Single Judge, restraining Alder from using the mark "ALDER BIOCHEM," and dismissed the appeal, maintaining the injunction.
Delhi HC Invokes Arbitration Mechanism in Trademark and IP Assignment Dispute Kundan Industries Limited vs. Kuntek Fasteners Private Limited (MANU/DE/5909/2026: 2026: DHC:6709)	The High Court of Delhi addressed disputes between Kundan Industries Limited and Kuntek Fasteners Private Limited arising from a series of agreements, including an IP Assignment Agreement and a machinery sale, which led to disagreements over trademark use and contract termination. The court appointed Justice S. Ravindra Bhat as the Sole Arbitrator to resolve these disputes, emphasizing the need for arbitration under the Delhi International Arbitration Centre's rules. The court ordered both parties to preserve relevant records and refrain from altering the proprietary status of the disputed trademarks until the arbitration is concluded, thereby disposing of the petitions under Section 9 of the Arbitration Act, 1996.
Delhi HC Permits ‘PONTA’ Stock Clearance, Pending Trademark Cancellation Siddharth Vij and Panasonic Holdings Corporation & Ors. (MANU/DE/6126/2026: 2026: DHC:6782-DB)	The High Court of Delhi addressed disputes between Siddharth Vij and Panasonic Holdings Corporation & Ors., concerning the trademarks “PONTA” and the associated device mark, which were challenged under Sections 47 and 57 of the Trademarks Act, 1999. The Court found the registrations liable for removal under Section 57(2) as they were made without sufficient cause, particularly due to their deceptive similarity with the prior “PENTA” mark, identical goods and trade channels, and resulting likelihood of consumer confusion. The parties subsequently agreed to a limited period for exhausting existing stock, after which further manufacture, sale, advertising and use would cease.

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Delhi HC Upholds Injunction Against ‘NOVIETS’, Finding It Deceptively Similar to Novartis’ ‘NOVARTIS’ Trademark Noviets Pharma and Ors. vs. Novartis AG and Ors (MANU/DE/5955/2026: 2026: DHC:6751-DB)	The High Court of Delhi addressed a trademark dispute between Noviets Pharma & Ors. and Novartis AG & Ors. concerning the marks “NOVIETS” and “NOVARTIS” in the pharmaceutical sector. The Court upheld the interim injunction, finding the marks deceptively similar and recognizing NOVARTIS as a mark with substantial goodwill and reputation. Applying to Sections 15, 17, 29 and 29(5) of the Trademarks Act, 1999, the Court considered the protection of composite marks, deceptive similarity and use of a registered mark as part of a trade name. Given the similarity in the marks, pharmaceutical products and trade channels, the Court found a strong likelihood of confusion and dismissed the appeal.
Delhi HC Refuses Injunction in ‘DIGESTO’ Trademark Dispute, Finds Mark Prima Facie Descriptive Hahnemann Scientific Laboratory India Pvt. Ltd. vs. Meera Rastogi Trading as Hahnemann Memorial Laboratory (MANU/DE/6053/2026: 2026: DHC:6946-DB)	The High Court of Delhi addressed a trademark dispute between Hahnemann Scientific Laboratory India Pvt. Ltd. and Meera Rastogi, concerning the marks “HASLAB’S DIGESTO” and “DIGESTO PLUS” used for homoeopathic medicines. The Court noted that the appellant’s earlier registration had expired in 1993 and that there was insufficient evidence of continuous use thereafter. The respondent, on the other hand, produced material indicating use of “DIGESTO PLUS” since 1980. The Court held that “DIGESTO” was prima facie descriptive and common to the trade, and that the rival marks and trade dress were not deceptively similar. It therefore upheld the refusal of interim injunction and dismissed the appeal, while observing that the effect of the appellant’s subsequent trademark registration would be considered at trial.
Delhi HC Cancels ‘DAPLOGIN’ Trademark, Finds It Deceptively Similar to ‘DAPLO’ Dr. Reddy's Laboratories Limited vs. Razenta Pharmaceuticals Private Limited and Ors. (MANU/DE/6028/2026: 2026: DHC:6769)	The High Court of Delhi addressed the issue of whether the trademark “DAPLOGIN,” registered by Razenta Pharmaceuticals Private Limited, should be canceled due to its deceptive similarity to Dr. Reddy's Laboratories Limited's earlier registered trademark “DAPLO.” The court found that “DAPLOGIN” subsumes “DAPLO” and that the addition of “GIN” does not sufficiently distinguish the two, especially given their identical use for treating Type-2 Diabetes Mellitus. Citing the need for heightened scrutiny in pharmaceutical trademark cases to prevent public confusion, the court ordered the cancellation of “DAPLOGIN” under Sections 9(1) (a), 9(2)(a), and 11(1)(b) of the Trademarks Act, 1999, and directed the Registrar of Trademarks to rectify the register within six weeks.

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Delhi HC Refers Online Trademark and Copyright Jurisdiction Issue to Larger Bench Hindustan Unilever Ltd. v. Kwick Living (I) Pvt. Ltd. (MANU/DE/6214/2026: 2026: DHC:7198)	The High Court of Delhi addressed a territorial jurisdiction dispute between Hindustan Unilever Limited and Kwick Living (I) Private Limited concerning Kwick Living’s “War on What’s Hidden” advertising campaign, which allegedly disparaged HUL’s Vim and Surf Excel products through billboards, social media and online platforms. The Court examined the interplay between Section 20 of the CPC, Section 134 of the Trademarks Act, 1999, and Section 62 of the Copyright Act, 1957, particularly in the context of online advertising and e-commerce. While HUL argued that the campaign was accessible and commercially targeted in Delhi, Kwick Living contended that the suit should be instituted in Mumbai, where both parties had their principal offices. Noting conflicting judicial approaches on digital jurisdiction, purposeful targeting, and the principal-office rule, particularly under Sanjay Dalia, Banyan Tree and Kohinoor Seed Fields, the Court referred the issue to a Larger Bench for authoritative determination.
Bombay HC Orders Abaad to Stop Use of Similar Marks in Sky Enterprise Trademark Dispute Sky Enterprise Private Limited vs. Abaad Masala and Co. (MANU/MH/5450/2026: IA(L)-2372-2025)	The High Court of Bombay addressed a dispute between Sky Enterprise Private Limited and Abaad Masala & Co. regarding alleged contempt of an interim order protecting Sky's trademarks. The court found that Abaad's use of similar marks constituted a violation of the order, despite Abaad's changes to its branding. The court emphasized the need for Abaad to maintain a "safe distance" from Sky's trademarks and issued remedial directions, including prohibiting the use of certain marks and requiring financial disclosures, rather than imposing punitive measures like imprisonment. The court referenced principles from previous judgments, including the "safe distance" rule and the need for compliance with interim orders.

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Bombay HC Modifies ‘Kataria’ Trademark Injunction, Permits Bona Fide Use of Family Name Bhavesh Suresh Kataria vs. Kataria Insurance Brokers Pvt. Ltd. (MANU/MH/5631/2026: COMMERCIAL IP SUIT NO. 215 OF 2021)	The High Court of Bombay addressed the dispute between Bhavesh Suresh Kataria and Kataria Insurance Brokers Pvt. Ltd., focusing on whether the interim order restraining the defendant from using the "Kataria" trademark should be vacated. The court considered the Supreme Court's directive to remand the matter for reconsideration, emphasizing the bona fide use of the family name "Kataria" by the defendant. The court found that the interim order was overly broad and imposed undue hardship, thus varying it to allow the defendant to use its corporate name while ensuring no confusion with the plaintiff's niche in gems and jewelry insurance. The court directed the defendant to maintain distinct online branding and keep accounts of its business activities, while dismissing the plaintiff's request for a stay of the judgment.
Madras HC Allows Copyright Trial to Proceed, Holds Locus Standi Not Required for Criminal Complaint Veerasekar vs. The State of Tamil Nadu and Ors. (MANU/TN/2453/2026: CrI.O.P.(MD)No.13640 of 2026)	The High Court of Madras addressed the issue of whether the charge sheet against Veerasekar, accused of copyright infringement under Sections 51(b)(i) and 63(a) of the Copyright Act, 1957, should be quashed. The dispute involved the alleged unauthorized use of a copyrighted logo registered to Sri Chakravarthy Manchukonda, used by Manchukonda Agrotech Pvt. Ltd., on rice bags sold by Veerasekar. The court reasoned that the complaint could be initiated by any person, as locus standi is not a requirement in criminal jurisprudence, and the allegations of infringement were sufficient to proceed to trial. The court dismissed the petition, allowing the trial to continue, and emphasized that the trial court should decide the case on its merits without being influenced by its observations.
Patna HC Sets Aside Interim Order in ‘RAJAJI’ Trademark Dispute, Orders Fresh Consideration Samriddhi Rice Mill Private Limited vs. Samriddhi Agro Foods Private Limited and Ors. (MANU/BH/0897/2026: 2026: PATHC:76485)	The High Court of Patna addressed a dispute between Samriddhi Rice Mill Private Limited and Samriddhi Agro Foods Private Limited regarding the use of the trademark "Rajaji." The court considered whether the Commercial Court erred in denying an interim injunction to prevent the respondent from using the trademark. The court noted that the Commercial Court had improperly introduced the issue of goodwill distribution without respondent input. Both parties agreed to remit the case for fresh consideration. The High Court set aside the previous order and directed the Commercial Court to expedite the hearing, requiring the respondent to maintain sales records under the disputed trademark. The appeal was allowed to this extent.