



FMC's Patent Put on the Edge: Delhi HC Sees Prior Claim, Refuses Injunction

FMC An Agricultural Sciences Company



FMC Corporation and Ors. vs. Natco Pharma Limited (MANU/DE/8797/2025)

The High Court of Delhi addressed the application by FMC Corporation and others seeking an interim injunction against Natco Pharma Limited for allegedly infringing their patent on a compound used in manufacturing 'Cyantraniliprole 10.26% OD'. The court examined whether the patent was anticipated by prior claims in another patent (IN'104) and found that the compound in question was indeed claimed in the prior patent, making the current patent vulnerable to invalidity. The court also considered the 'Gillette Defence', which argues that the defendant's product is based on prior art, thus not infringing the patent. Given the credible challenge to the patent's validity and the defendant's ongoing production, the court denied the interim injunction, allowing the case to proceed to trial for a final decision.

Relaxo Scores Again: Court Says Aqualite's Slippers Copy the Novel Side Ridges



Aqualite Industries Private Ltd vs. Relaxo Footwears Limited (MANU/DE/8864/2025)



The High Court of Delhi addressed the issue of whether Aqualite Industries Private Ltd infringed on Relaxo Footwears Limited's registered designs for hawai slippers, specifically models BHG 136 and BHG 137. Relaxo alleged that Aqualite's products replicated their registered designs, which Aqualite did not contest but argued that the designs lacked novelty and were subject to cancellation. The court found that the side ridges on Relaxo's designs were novel and not previously published, thus upholding the validity of the design registrations. Consequently, the court dismissed Aqualite's appeal and maintained the injunction against them, preventing the manufacture or sale of infringing footwear.

'COW BRAND' Since 1975 Wins the Day: Prior User Rights Trump Defendant



Sunil Niranjana Shah vs. Vijay Bahadur (MANU/DE/8981/2025)

The High Court of Delhi addressed a dispute between Sunil Niranjana Shah and Vijay Bahadur regarding the alleged infringement of the trademark 'COW BRAND' by the defendant's use of similar marks. The court found that the plaintiff had established long and continuous use of the mark since 1975, while the defendant failed to substantiate their claim of prior use. The court held that the plaintiff's rights as a prior user were superior and granted an interim injunction restraining the defendant from using the impugned marks. The court also confirmed its territorial jurisdiction based on the defendant's use of an interactive e-commerce platform accessible within Delhi.

That Small 'Contact Us' Page? Court Says It's Enough to Keep Suit Alive



Sun Pharmaceutical Industries Ltd. vs. Artura Pharmaceuticals P. Ltd. (MANU/DE/8982/2025)

The High Court of Delhi addressed the issue of territorial jurisdiction in a trademark infringement suit filed by Sun Pharmaceutical Industries Ltd. against Artura Pharmaceuticals P. Ltd. The court examined whether the presence of a "Contact Us" page on Artura's website, which allegedly facilitated interaction with Delhi consumers, was sufficient to establish jurisdiction. The court applied the principles from Banyan Tree Holding and other precedents, emphasizing that jurisdictional objections should be resolved at trial, not at the preliminary stage. The application to dismiss the suit for lack of jurisdiction was denied, allowing the case to proceed to trial, with jurisdiction to be determined as a preliminary issue.

GOLD FLAKE vs GOLD FLAME: One Letter Apart, Court Says Confusion Is Real



ITC Limited vs. Pelican Tobacco Co Ltd and Ors. (MANU/DE/8984/2025)

The High Court of Delhi addressed the issue of trademark infringement and passing off between ITC Limited and Pelican Tobacco Co Ltd and others, focusing on the use of the marks 'GOLD FLAKE' by ITC and 'GOLD FLAME' by the defendants. ITC argued that the defendants' marks were deceptively similar to their well-known trademark, causing consumer confusion. The court found that ITC's marks had acquired distinctiveness and secondary meaning, and the defendants' use of similar marks was likely to cause confusion. The court confirmed the interim injunction in favor of ITC, restraining the defendants from using the impugned marks, and dismissed the defendants' application to vacate the injunction.

Copyright + Contract Clash: Court Says “Too Many Issues for a Summary Rejection”



Envitech Consultants India Pvt Ltd vs. Rudrabhishek Enterprises Limited and Ors. (MANU/DE/8985/2025)

The High Court of Delhi addressed whether Envitech Consultants India Pvt Ltd's plaint against Rudrabhishek Enterprises Limited should be rejected under Order VII Rule 11 of the CPC, focusing on copyright ownership and infringement claims. The court found that the plaint disclosed a cause of action, including allegations of moral rights violations, breach of contract, and unjust enrichment, which warranted judicial determination. The court dismissed the application for rejection, noting that the issues raised, such as whether the work was a 'Government work,' involved complex legal and factual questions unsuitable for summary dismissal. The case was scheduled for further proceedings on January 16, 2026.

Misread as a Medical Method: Patent Refusal Scrapped, Fresh Hearing Ordered



Medilabo RFP Inc vs. The Controller of Patents (MANU/DE/8970/2025)

The High Court of Delhi addressed the appeal by Medilabo RFP Inc against the Controller of Patents, challenging the refusal of their patent application for a drug composition under Section 3(i) of the Patents Act, 1970. The court found that the Controller erroneously interpreted the claims as a method of treatment rather than a composition, failing to consider the amended claims that clarified the invention's scope. Citing precedents like Bayer Pharma and Societe Des Produits Nestle, the court set aside the refusal and remanded the application for fresh consideration, instructing the Controller to address all objections and grant a fresh hearing within six months.

'SoEasy' Isn't Too Easy: Delhi HC Says the Mark Is Suggestive, Not Descriptive



Ashim Kumar Ghosh vs. The Registrar of Trade Marks (MANU/DE/8972/2025)

The High Court of Delhi addressed the issue of whether the Registrar of Trade Marks correctly refused Ashim Kumar Ghosh's application for the trademark 'SoEasy' under Section 19 of the Trade Marks Act, 1999, citing lack of distinctiveness. The court found that while the Registrar had the procedural authority to withdraw acceptance, the mark 'SoEasy' was suggestive rather than descriptive, thus inherently distinctive and eligible for protection. Consequently, the court set aside the Registrar's order and directed the continuation of the registration process for the trademark.

#Key IPR Judgments - November 2025



No One Owns “Haveli”: Court Rejects Monopoly Claim Over Generic Restaurant Word



Haveli Restaurant and Resorts Limited vs. Registrar of Trademarks and Ors. (MANU/DE/8973/2025)

The High Court of Delhi addressed the dispute between Haveli Restaurant and Resorts Limited and the Registrar of Trademarks, along with other respondents, regarding the registration of the trademarks 'AMRITSAR HAVELI' and 'THE AMRITSAR HAVELI' in Class 43. The core issue was whether the appellant had exclusive rights over the mark 'HAVELI' and if the impugned marks were deceptively similar to the appellant's marks. The court found that 'HAVELI' is a generic term common to trade and that the appellant did not have exclusive rights over it. The court also determined that the impugned marks were not deceptively similar to the appellant's marks. Consequently, the court dismissed the appeals, upholding the registration of the impugned marks.

SWASTIK Artwork Found Copied: Copyright Cancelled for Lack of Originality



Rajani Products vs. Madhukar Varandani and Ors. (MANU/DE/8974/2025)

The High Court of Delhi addressed the issue of whether the copyright registration of an artistic work by Madhukar Varandani, which included a SWASTIK device, should be removed from the Register of Copyrights due to its substantial similarity to the artistic works of Rajani Products. The court found that the impugned work was a substantial reproduction of Rajani Products' registered artistic works, lacking originality, and thus liable for expungement. Citing precedents like Marico Ltd. v. Jagit Kaur, the court emphasized the importance of comparing broad features and overall similarity. Consequently, the court allowed the petition, canceling the copyright registration and directing compliance with the order.

Two Suits, Same Story: Castrol's Second Case Thrown Out Under Order II Rule 2



Castrol Limited vs. Sanjay Sonavane and Ors. (MANU/DE/8979/2025)

The High Court of Delhi addressed the issue of whether Castrol Limited could file a new suit against Sanjay Sonavane and others for disparagement and trademark infringement, given the existence of a prior suit on a related matter. The court found that both suits arose from the same cause of action, namely the search and seizure of Castrol's products and subsequent media coverage. The court held that Castrol was aware of the media coverage at the time of the first suit and should have included all related claims then. Consequently, the court dismissed the new suit as barred under Order II Rule 2 of the CPC, allowing Castrol to amend the first suit to include new developments.

#Key IPR Judgments - November 2025



Fake NUTELLA Jars? Court Issues Permanent Injunction, Orders Handover of Stock



Ferrero SPA and Ors. vs. Abhimanyu Prakash and Ors. (MANU/DE/9020/2025)

The High Court of Delhi addressed a dispute between Ferrero SPA and others against Abhimanyu Prakash and others regarding the unauthorized manufacturing and sale of glass jars resembling Ferrero's registered NUTELLA trademark. The court found that the defendants knowingly infringed on Ferrero's trademark by producing and selling jars similar to the NUTELLA design without authorization. The court granted a permanent injunction against the defendants, ordered the handover of infringing jars to Ferrero, and awarded partial legal costs of Rs. 10 lakhs against the defendants. The court did not find sufficient evidence to award damages based on the alleged sale of counterfeit products.

Hermes Wins Birkin Battle: Court Declares 'Birkin' a Well-Known Mark



Hermes International and Ors. vs. Macky Lifestyle Private Limited and Ors. (MANU/DE/8978/2025)

The High Court of Delhi addressed a dispute between Hermes International and Macky Lifestyle Private Limited regarding alleged trademark and copyright infringement of Hermes' 'Birkin' Bag and related marks. Hermes claimed Macky Lifestyle was manufacturing and selling identical products without authorization. Macky Lifestyle denied these allegations, stating they had not manufactured or sold any infringing products and had closed their business. The court accepted Macky Lifestyle's statements and decreed in favor of Hermes, recognizing the 'Birkin' Bag and related marks as well-known trademarks under the Trade Marks Act, 1999, and granted relief as per Hermes' prayers (a) to (e). The suit and pending applications were disposed of without costs.

Obviousness Sinks Patent: Amylin's Appeal Dismissed After Prior Art Review



Amylin Pharmaceuticals, LLC and Ors. vs. Assistant Controller of Patents and Designs (MANU/DE/8971/2025)

The High Court of Delhi addressed the appeal by Amylin Pharmaceuticals, LLC and Astrazeneca Pharmaceuticals LP against the Assistant Controller of Patents and Designs' decision to reject their patent application for "Sustained Release Formulations Using Non-Aqueous Carriers." The core issue was whether the claimed invention involved an inventive step under Section 2(1)(ja) of the Patents Act, 1970. The court found that the invention was obvious in light of prior art documents D1 to D4, which collectively disclosed the essential elements of the claimed invention. The court upheld the Assistant Controller's decision, dismissing the appeal and affirming that the application did not qualify as an invention under the Act.

#Key IPR Judgments - November 2025



India Says No to Pre-Trial Discovery: Softgel Wins Against US Letters Rogatory



Softgel Healthcare Private Limited vs. Pfizer Inc. and Ors. (MANU/TN/5233/2025)

The High Court of Madras addressed the issue of whether Letters Rogatory issued by the United States District Court at Delaware could be enforced in India against M/s. Softgel Healthcare Private Limited, a non-party to the original proceedings. The court considered the applicability of the Hague Convention and Indian domestic law, noting that India has reserved the right not to execute requests for pre-trial discovery of documents. The court found that the Letters Rogatory were vague and not in conformity with Article 3 of the Hague Convention, and that enforcing them would violate India's sovereignty and Softgel's rights. Consequently, the court set aside the previous order allowing the enforcement of the Letters Rogatory and dismissed the applications filed by Pfizer Inc. and others.

Tesla vs Tesla Power: Court Says Prima Facie Theft of Global EV Giant's Identity



Tesla Inc. vs. Tesla Power India Private Limited and Ors. (MANU/DE/9114/2025)

The High Court of Delhi addressed the dispute between Tesla Inc. and Tesla Power India Private Limited regarding the use of the "TESLA" trademark. Tesla Inc. sought an injunction to prevent the defendants from using marks similar to "TESLA," arguing infringement and passing off. The court found that Tesla Inc. had established a strong prima facie case of trademark infringement, noting the significant goodwill and reputation of Tesla Inc.'s marks. The court granted an interim injunction, restraining the defendants from using the impugned trademarks and domain names until the final disposal of the suit, emphasizing the likelihood of confusion and the defendants' dishonest adoption of the marks.

Yarn Patent Gets Another Chance: Court Says Controller Ignored Key Evidence



Trident Limited vs. Controller of Patents (MANU/DE/9176/2025)

The High Court of Delhi addressed the appeal by Trident Limited against the Controller of Patents' refusal to grant a patent for their "Air Rich Yarn and Fabric" application, citing a lack of inventive step. Trident argued that their invention, which involves a homogenous distribution of pores in yarn, was not obvious from prior art. The court found that the Controller's decision lacked adequate consideration of Trident's evidence and examples, and thus set aside the refusal, remanding the matter for fresh consideration by a different Controller within six months.

TVS Gets a Re-Look: Madras HC Says Earlier Obviousness Analysis Was Too Thin



TVS Motor Company Limited vs. The Assistant Controller of Patents and Designs (MANU/TN/5402/2025)

The High Court of Madras addressed the rejection of TVS Motor Company Limited's patent application for a "Vehicle Frame Assembly" by the Assistant Controller of Patents & Designs, which was based on a lack of inventive step under Section 2(1)(ja) of the Patents Act, citing prior arts D1 and D3. The court found that the prior arts did not render the claimed invention obvious and criticized the lack of a robust obviousness analysis. Consequently, the court set aside the rejection and remanded the application for reconsideration by a different officer, allowing for additional prior art and data submissions, with a directive for a decision within four months.