IP UPDATE

FICCI 100
100 YEARS OF BUILDING TOMORROW

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CHAIR'S MESSAGE

From Protection to Strategy: The Expanding Role of Intellectual Property



Mr. Rajiv Aggarwal

In an era defined by rapid technological advancement, intensifying global competition and evolving business models, intellectual property (IP) has moved decisively beyond its traditional role as a defensive legal instrument. Today, IP stands at the crossroads of innovation, strategy and economic growth, shaping how nations, enterprises and institutions compete, collaborate and create value.

Historically, intellectual property was viewed primarily as a means of protection- an instrument to safeguard inventions, brands and creative works against misuse and infringement. While protection remains foundational, this perspective is no longer sufficient. In contemporary innovation-driven economies, IP has emerged as a strategic asset- one that influences investment decisions, enables market entry, underpins commercial partnerships and strengthens competitive positioning across sectors. India's growth trajectory underscores this transformation. As the country advances toward becoming a knowledge-based and innovation-led economy, the strategic deployment of intellectual property has assumed central importance. Patents, tradem- trademarks, designs, copyrights and trade secrets are increasingly being leveraged not only to secure rights, but also to unlock commercial value, attract capital, facilitate technology transfer and integrate Indian enterprises into global value chains. The growing share of domestic IP filings, increased participation of startups and MSMEs in the IP system and rising international engagement- all reflect this shift from just protection to forward-looking strategy.

This year's World IP Day celebrations further underscored this evolution by placing a special emphasis on regional identity and grassroots

CHAIR'S MESSAGE

innovation. The felicitation of the J&K Ranji players and recognition of the J&K Willow Bat as the only sports-based GI from India, highlighted how IP, particularly Geographical Indications, can preserve heritage, empower local communities, and connect regional excellence with national and global markets. These moments reinforced that IP is not only about protecting innovation, but also about celebrating identity, craftsmanship and inclusive growth.

Across sectors, from startups and manufacturing to creative industries and research: IP is increasingly being leveraged as a core asset for commercialization , credibility and scale. For emerging enterprises, it strengthens investor confidence and enables monetization, while for established players, it drives expansion and long-term value. In academia, it bridges research with real-world impact, fostering industry collaboration and technology transfer.

As IP assumes this strategic role, it calls for a more holistic ecosystem- one that goes beyond registration and enforcement to focus on valuation and commercialization. It requires skilled professionals, stronger institutional frameworks and closer collaboration between government, industry, academia and global players.

India has made commendable progress in this direction through policy reforms, capacity-building initiatives and system modernization. However, the journey from protection to strategy must continue with greater emphasis on IP awareness, financing and commercialization, especially at the grassroots level.

FICCI remains committed to advancing this vision- building an IP ecosystem that not only protects ideas, but transforms innovation into sustainable economic and societal value.

I wish all stakeholders engaged in this endeavour continued success as we work together to shape an IP ecosystem that is forward-looking, strategic, and aligned with India's long-term aspirations as an innovative and creative ecosystem.

Mr. Rajiv Aggarwal,
Chairman, FICCI IPR Committee &
Sr. Vice President, Corporate Relations Office,
Samsung India Electronics Ltd

FICCI-WIPO MEETING



During the meeting, Mr. Todd Reeves, Director of WIPO's Building Respect for IP Division, outlined WIPO's 2026 agenda focused on changing perceptions around piracy through a balanced approach combining preventive and punitive measures, alongside awareness campaigns in collaboration with governments. He highlighted four key discussion pillars: legislative engagement, capacity-building and impact assessment for enforcement authorities, international cooperation among member states and organizations, and development of a strategic system.

Mr. Reeves also explained WIPO Academy's training programmes for judges, legal practitioners, IP professionals, customs, and police officers, noting that such initiatives requi-

-re formal government requests, for which FICCI may facilitate coordination. FICCI suggested engaging the National Customs Academy, Faridabad, and National Police Academy, Hyderabad. He further briefed participants on the WIPO Alert programme, which supports action against infringing websites and helps protect brands and legitimate advertisers. FICCI also requested WIPO to share a framework identifying potential areas for strategic collaboration, including support for FICCI's IP course offering awareness campaigns in collaboration with governments. He highlighted four key discussion pillars: legislative engagement, capacity-building and impact assessment for enforcement authorities, international cooperation among member states and organizations, and development of a strategic system.

IPR COMMITEE MEETING

Chairman, FICCI IPR Committee, Mr. Rajiv Aggarwal welcomed all members to the first meeting of the newly constituted FICCI IPR Committee and highlighted the significant transformation of India's intellectual property ecosystem over the past three decades, noting that IP has evolved from a legal subject into a critical pillar of business strategy, innovation, and economic growth. He acknowledged the valuable contributions of past Chair Mr. Anil Rajput and emphasized that the Committee's present standing is built on his leadership and



efforts. He outlined key focus areas, including the trade secrets white paper submitted to DPIIT, emerging concerns around copyright and AI, enforcement, education, and international collaborations with WIPO, EPO, and other global forums.

Members discussed several strategic priorities, including intellectual property in sports, state-level IPR awareness workshops for MSMEs, start-ups, and manufacturing clusters, and structured judicial engagement through the National Judi-

-cial Academy and State Judicial Academies.

The Committee also stressed the need for sustained engagement with foreign IP offices, WIPO, and the Indian Patent Office to promote best practices, examiner training, and procedural efficiency. Members were invited to share inputs on the CBIC questionnaire, anti-counterfeiting and anti-piracy awareness for WIPO ACE, and proposed industry-specific sub-committees, while also deciding to constitute a dedicated working group on SEPs.

AI & IP: BUILDING AN EQUITABLE INNOVATION ECOSYSTEM, INDIA AI SUMMIT



The session on AI & Intellectual Property: Building an Equitable Innovation Ecosystem organised by the Federation of Indian Chambers of Commerce and Industry (FICCI) IPR Committee on 20th February 2026 at Bharat Mandapam, brought together experts from the legal, technology, and creative sectors to examine the evolving relationship between artificial intelligence (AI) and intellectual property (IP).

The discussion highlighted how AI is rapidly transforming industries, innovation processes, and creative production, making the intersection of AI and IP increasingly significant. Reference was made to the global discourse on AI that began within international forums such as the World Intellectual Property Organization (WIPO), which has since evolved alongside the rapid adoption of generative AI technologies.

Panelists discussed key questions relating to human authorship in AI-generated works under copyright law, inventorship and ownership in AI-assisted patent filings, and the use of copyrighted material in AI training datasets. They also identified structural challenges shaping the AI-IP landscape, like the AI systems capacity, jurisdictional fragmentation, fair use debates and opt-in or opt-out mechanisms for training data. Speakers emphasised that AI should complement rather than undermine the creative economy, provided that the rights and incentives of creators are protected.



A broad consensus emerged around the importance of market-driven licensing mechanisms and transparency obligations to support innovation while ensuring accountability. The discussion reaffirmed that human mind remains central to IP attribution and highlighted India's growing role in global AI innovation and its potential to shape balanced and inclusive AI-IP governance frameworks through policy leadership and multi-stakeholder collaboration.

AIPLA (AMERICAN INTELLECTUAL PROPERTY LAW ASSOCIATION) DELEGATION



The AIPLA–FICCI meeting held on 20 March 2026 in New Delhi convened senior leaders from AIPLA, FICCI, industry, and the legal community to exchange views on strengthening IP policy, examination quality, and international cooperation, with a shared emphasis on predictability and procedural clarity.



Chairman, FICCI IPR Committee, Mr. Rajiv Aggarwal welcomed the AIPLA delegation and outlined FICCI's role as India's oldest trade body and a key contributor to IP policy discourse. AIPLA President Mr. Salvatore Anastasi described AIPLA's committee-driven structure, advocacy initiatives, and interest in deeper engagement with India's IP ecosystem to identify areas of practical collaboration.

Substantive discussions focused on patent eligibility and examination practices. AIPLA speakers emphasized maintaining a clear distinction between eligibility and novelty/inventive step, referencing recent U.S. jurisprudence that treats eligibility as a threshold inquiry rather than a merits test. Indian participants highlighted concerns around routine, non-reasoned Section 3(k) objections and stressed the need for more specific and well-reasoned FERs. Both sides agreed that examiner training and model examination language could significantly improve consistency and reduce prosecution burden.

WORLD IP DAY 2026 CONFERENCE: IP AND SPORTS– READY, SET, INNOVATE!

April 28, 2026



FICCI, in association with DPIIT, commemorated World Intellectual Property Day 2026 with a conference on "IP and Sports: Ready, Set, Innovate!" on 28 April 2026 at Vanijya Bhavan, New Delhi. The focus of the event was in keeping with WIPO's theme for this year's World IP Day and sought to deliberate on the growing role of intellectual property in strengthening India's sporting ecosystem, including sports innovation, manufacturing, branding, athlete rights, media rights, digital engagement, advertising responsibility and commercialisation of sporting assets.

In the Special Address, Shri Piyush Goyal, Hon'ble Minister of Commerce and Industry, announced that all intellectual property registrations related to sports including trademarks, copyrights, patents, designs, geographical indications and traditional knowledge would be free of charge for the next three years, effective immediately. The announcement marked a significant policy step towards encouraging sports-linked innovation, formal IP protection and wider participation of innovators, manufacturers, athletes, entrepreneurs and creators in the IP ecosystem.

The Minister also emphasised the need to rapidly scale India's sports goods manfacturing capabilities, referring to established clusters such as Jalandhar and Meerut and the scope for their expansion to globally competitive levels. Highlighting the Kashmir Willow bat, India's only GI-tagged sports product from Jammu & Kashmir, he underlined its potential to showcase India's manufacturing strength as well as the talent and craftsmanship available in the region. He further urged industry to explore dedicated manufacturing capacity in Jammu & Kashmir and called attention to opportunities in assisted equipment manufacturing for sportsper-sons. The Minister also cautioned sportspersons against endorsing products without adequate due diligence, particularly in sectors such as nutrition and performance supplements, noting the importance of credibility, consumer protection and responsible advertising.

In the Inaugural Address, Shri Hari Ranjan Rao, Secretary, Ministry of Youth Affairs and Sports, highlighted the Government's efforts towards finalising a dedicated scheme to promote domestic sports goods manufacturing, with embedded provisions for research and development, sports science, startup support and intellectual property creation. He observed that India's sports goods manufacturing base remained concentrated around a few clusters and stressed that without innovation, R&D, patents and IPR, achieving global competitiveness in the sector would remain a challenge.

In the Welcome Address, Mr. Anant Swarup, Secretary General, FICCI, noted that intellectual property is not merely a legal framework but a powerful enabler of growth, competitiveness and opportunity. He emphasised that as India's sporting ambitions grow and the innovation ecosystem strengthens, it is essential to protect ideas, reward creators and encourage investment in sport.



In the Special Address, Shri Shahid Iqbal Choudhary, Secretary, Youth Services and Sports Department, Jammu & Kashmir, highlighted the opportunities for developing sports infrastructure and winter sports facilities in the region as platforms for local innovation. In a separate Special Address, Ms. Marie Paule Rizo, Director, Hague Division, WIPO, underlined that IP systems are most effective when they are accessible not only to large corporations but also to startups, MSMEs and individual creators.

The first panel discussion, titled "Who Owns the Game? IP in the Sporting Arena: Innovation, Branding, and Athlete Rights", examined how intellectual property underpins the modern sports industry. The session was moderated by Mr. Safir Anand, Senior Partner & Head of Department, Trademarks, Contractual & Commercial IP, Anand & Anand. The panellists included Mr. Anil Lale, Executive Vice President – Legal, JioStar India Pvt. Ltd., Mr. Mihir Rale, Partner & Co-Head of the Digital Practice, Cyril Amarchand Mangaldas and former General Counsel, JioStar, Mr. Neeraj Karnatak, Legal, ASICS India Pvt. Ltd., and Mr. Nipun Rathi, Director, Public Policy & Government Affairs, boAt Lifestyle.

The panel deliberated on key issues such as broadcasting and media rights, licensing and sponsorship agreements, trademark protection, athlete image rights, data, digital content and fan engagement in an era of streaming and global sports consumption. The discussion also addressed emerging challenges relating to unauthorised use of content, technological disruption, smart wearable devices, performance analytics and the growing role of sports technology in training and injury prevention.



This was followed by a fireside chat with Mr. Anupam Goswami, League Commissioner of the Pro-Kabaddi League and CEO, Mashal Sports Pvt. Ltd., moderated by Mr. Vidushpat Singhania, Managing Partner, Krida Legal. The conversation provided insights into the transformation of traditional sports into commercially successful professional leagues and highlighted the importance of structured IP strategies, media partnerships, branding, licensing and rights management in building scalable sporting properties.



The second panel discussion, titled "More Than a Match: The IP Story", explored how intellectual property shapes sport from grassroots experiences to professional leagues and individual athletes. The session was moderated by Mr. Vikrant Rana, Managing Partner, S.S. Rana & Co. The panellists included Mr. Paras Dogra,

Captain, J&K Ranji Cricket Team, Mr. Fawzul Kabir, Founder, GR8 Sports India Pvt. Ltd. and Representative, J&K Willow Bat GI Association, Cdr. Ravi Kant Srivastava (VSM), Director General, Hockey India, Mr. Joseph Eapen, Managing Partner, GSIQ, and Mr. Manoj Dhankhar (IRS), Indian Wrestler.



The session brought forward perspectives from athletes, sporting bodies and industry representatives. Discussions around the J&K Willow Bat GI Association highlighted how geographical indications can protect regional craftsmanship, strengthen identity and open wider market opportunities. The session also examined the Hockey India League as a case study in IP strategy, covering trademarks, media rights, licensing, franchising and brand building. Athlete perspectives added depth to the conversation by highlighting the practical realities of endorsements, personal branding, reputation and rights management.

An interactive segment titled "Sports IP RapidFire: Play, Guess, Win!" was conducted by CIPAM, engaging the audience through a game-based format around sports, branding and intellectual property.

This was followed by a workshop titled "Play Beyond the Field: Sports, Advertising & Influence" by Ms. Manisha Kapoor, CEO and Secretary General, Advertising Standards Council of India (ASCI).



The session focused on truthful advertising, responsible endorsements, influencer disclosures and the legal implications of misleading claims, particularly in health, fitness and performance-related promotions.

The interactive forum on "Future of IP & Sports: Global Trends, Emerging Challenges & Collaborative Pathways" brought together leading representatives from intellectual property offices and international institutions. The session was moderated by Mr. Ameet Datta, Co-Chair, FICCI IPR Committee and Managing Counsel, ADP Law Offices. The speakers included Prof. (Dr) Unnat P. Pandit, Controller General of Patents, Designs & Trade Marks, Registrar of Copyright, GI & SICLDR, DPIIT, Ms. Marie Paule Rizo, Director, Hague Legal & Treaty Promotion Division, WIPO, Mr. Ignacio de Medrano Caballero, Head, Promotion of IP System, EUIPO, Ms. Divya Srinivasan, IP Attaché and Senior Intellectual Property Advisor for India & South Asia, UK Intellectual Property Office, and Dr. Louise Boisen, Counsellor, Intellectual Property Rights, Royal Danish Embassy.



The forum examined global trends in sports-related IP filings, including filings linked to sports technologies, media, merchandising, athlete branding, immersive broadcasting, sports analytics, wearable technologies and esports. The discussion also reflected on opportunities for international cooperation, harmonisation, capacity building and shared best practices as the sports economy becomes increasingly innovation-driven and global in character.

The final technical session, "Sports Innovation Arena: Brand Stories", showased innovation journeys in sporting goods, wearables, digital platforms and esports. The session was moderated by Mr. Pankaj Soni, Partner, Remfry & Sagar, and featured Mr. Jalaj Jain, Innovator, Temple, and Dr. Shraddha Gujar-Damle, In-House IP Counsel, JetSynthesys Pvt. Ltd. The session highlighted how product design, advanced materials, emerging technologies and strategic IP management are shaping next-generation

sporting products and digital sporting experiences. misleading claims, particularly in health, fitness and performance-related promotions.



The conference concluded with the felicitation of the J&K Ranji Trophy Team and the launch of a Design Hackathon, followed by Concluding Remarks by Shri Amardeep Singh Bhatia, Secretary, DPIIT. These concluding moments symbolised the linkage between sporting excellence, design-led innovation, regional capability, and future-facing IP creation.

The conference witnessed participation from Government, industry, sports bodies, international institutions, legal fraternity, innovators, brands, academia and other stakeholders.

The deliberations reaffirmed that intellectual property is central to the future of sport from athlete rights, broadcasting and branding to manufacturing, regional products, advertising responsibility, sports technology and global markets. The event underscored the need for a strong IP-driven approach to support India's sporting ambitions and to enable responsible value creation across the sports economy.

INTERPLAY BETWEEN AI & COPYRIGHT

The FICCI IPEC webinar on the interplay between artificial intelligence and copyright was led by Mr. Ameet Datta, Co-Chair, FICCI IPR Committee and Managing Counsel, ADP Law Offices.



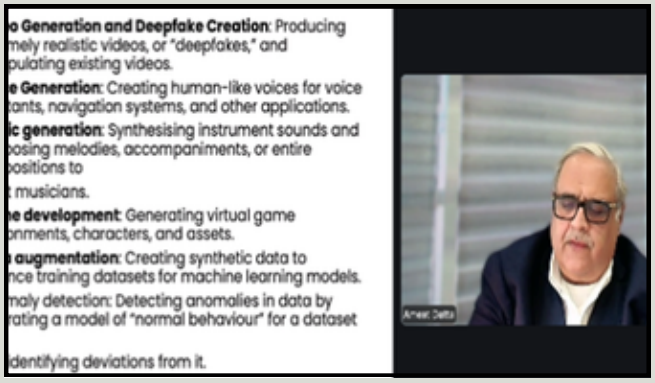
The session began with a technical walkthrough of how AI models are trained, explaining data acquisition and collection through web scraping, APIs, and manual curation of texts, images, and audio. Processes such as annotation, data cleaning, feature engineering, tokenisation, embedding, and vector training were mapped to show how raw data is converted into training datasets for large language models. It was emphasised that data collection necessarily involves copying, raising immediate copyright concerns.

Against this backdrop, the discussion examined copyright issues in AI, including web scraping as reproduction, dataset curation, and the embedding of expressive content into model parameters. Legal questions were framed around whether crawling and storage of online content amounts to infringement, whether models etain copyrighted works, and whether training can be justified under fair dealing.

Mr. Datta analysed these issues under the Copyright Act, 1957, focusing on Sections 14, 51, and 52, along with India's obligations under the

Berne Convention, the WIPO Copyright Treaty, and TRIPS. Indian case law such as Civic Chandran v. Ammini Amma, Super Cassettes v. Hamar TV, Rameshwari Photocopy Case, and Myspace v. Super Cassettes was discussed to illustrate reproduction and fair dealing principles.

The webinar also addressed memorisation and regurgitation in AI systems, highlighting the risk of protected expression being retained and reproduced.



The interactive Q&A clarified issues around RAG models, originality in AI-generated and AI-assisted works, and the ongoing debate on text-and-data-mining exceptions.

IP STRATEGY FOR THE AI REVOLUTION : SECURING YOUR COMPETITIVE EDGE

This session, taken by Ms. R Ramya Rao explained how AI innovations can be protected through a strategic mix of IP tools. It focuses on why a single form of protection is insufficient and how patents and trade secrets together form the backbone of effective AI IP strategy.

The session outlined the key forms of intellectual property, including patent, design,



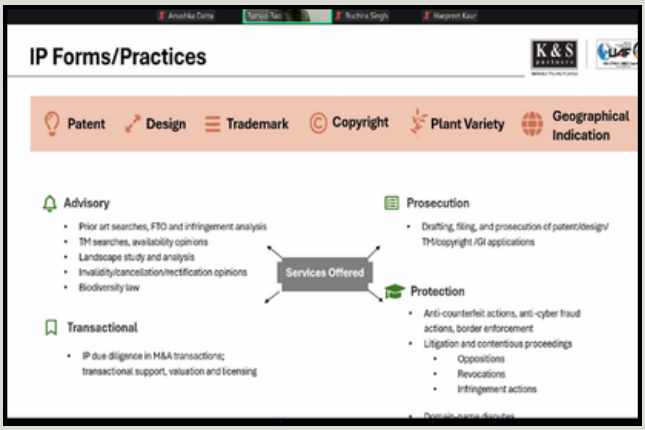
trademark, copyright, plant variety and geographical indication, and explained the range of services supporting IP, from advisory and prosecution to transactional work and enforcement. It emphasised that IP protection plays a critical role in incentivising innovation by rewarding R&D, reducing investment risk, enabling market advantage and monetisation, and providing legal certainty to manage disputes arising from misuse of innovation.

The discussion highlighted the sharp rise in AI patent filings and grant over the past decade, particularly after 2018, reflecting rapid AI adoption across sectors.Leading applicants include major technology companies such as Google, Samsung, Huawei and Microsoft, along with research institutions and Chinese universities, indicating strong global and institutional investment. AI use cases were noted across healthcare, finance, manufacturing, retail, transport and autonomous systems.

The session stressed that effective AI IP protection requires a layered approach. Patents are suited for AI inventions that combine software and hardware to deliver a clear technical effect, while trade secrets are appropriate for protecting confidential know-how such as training data, model parameters and internal processes.

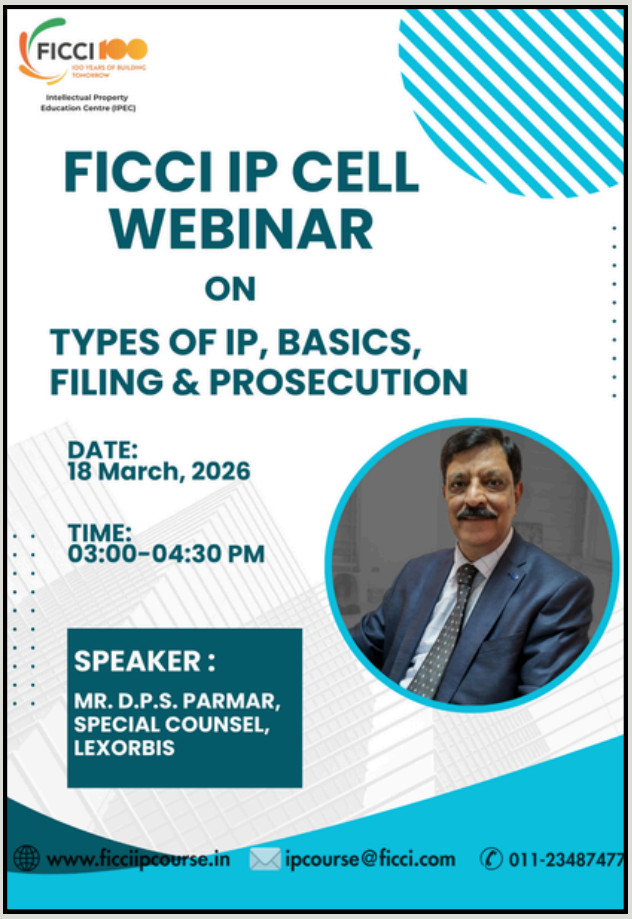
Patentable novelty may arise at various stages of the AI lifecycle, including data acquisition, processing and innovative deployment, while model building alone is often considered well known.

The choice between patents and trade secrets depends on factors such as visibility, risk of reverse engineering and certainty of patent eligibility, with both tools playing complementary roles in a balanced AI IP strategy.



TYPES OF IP, BASICS, FILING & PROSECUTION

A webinar on "Types of IP, Basics, Filing & Prosecution," was conducted by the FICCI IP Cell on March 18, 2026, featuring Mr. DPS Parmar, Special Counsel at LexOrbis. Mr. Parmar provided a foundational overview of intellectual property (IP), categorizing it into five primary forms: patents for inventions of products or processes; designs for aesthetic features; trademarks for brand identifiers; copyrights for creative works; and Geographical Indications (GIs) for products with a specific origin and quality. He also highlighted trade secrets as valuable assets used to gain business advantages over competitors.



A central theme was the COPE cycle—Creation, Ownership, Protection, and Exploitation—which Mr. Parmar described as essential for any IP to succeed in the market. He emphasized that IP is relevant at every business stage: from the initial idea phase, where non-disclosure agreements (NDAs) are vital; through technology development, requiring patent strategies; to the product and sales phases, where trademarks and licensing agreements enhance market value and brand loyalty. Using historical examples like the 1872 patent for the "Globe Stopper" bottle and the multi-billion dollar evolution of the ATM, he illustrated how IP acts as a "business multiplier".

The filing and prosecution process requires a strategic approach tailored to each IP type. For patents, the process begins during technology development, necessitating strict confidentiality and a launch strategy; notably, Indian patent grants have seen significant improvement. Trademark prosecution involves a search followed by an examination to check for conflicting or "deceptively similar" marks. If no objections or third-party oppositions occur after journal publication, a registration certificate is issued issued; otherwise, the applicant may face refusal or must appeal. Across all forms, registration is mandatory for patents and designs to secure rights, serves as prima facie proof of ownership, and requires the payment of renewal fees to remain active.

IDENTIFYING, MINING & PATENT SEARCHING

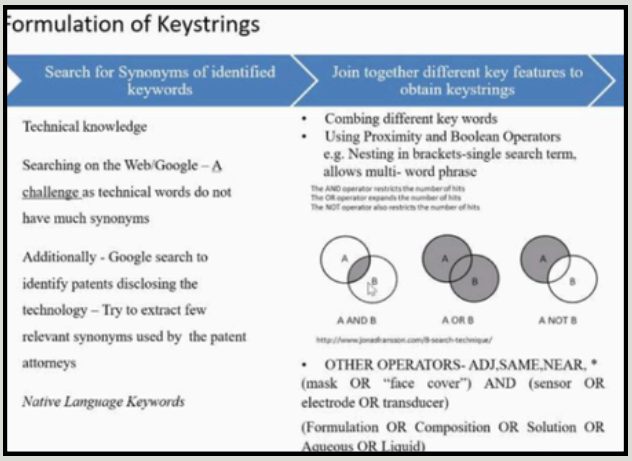
The webinar hosted by the FICCI IP Cell on March 24, 2026, featured Ms. Priya Mahajan from LexOrbis, who provided a comprehensive overview of patent information as a strategic "treasure trove" for innovation. She emphasized that 80% of the information found in patents is not published elsewhere, making structured patent searching essential for R&D, legal, and business strategy. By converting vast data into actionable intelligence, organizations can move beyond guesswork to create concrete innovation and strategic commercial value. Ms. Mahajan detailed several critical search types: knockout searches for early-stage idea filtering, patentability searches to assess novelty and



non-obviousness, and invalidity searches used in litigation. A major focus was placed on Freedom to Operate (FTO) searches, which are vital to perform before a product launch to avoid costly infringement suits, as seen in historical cases like Kodak vs. Polaroid. Beyond legal clearance, she discussed how patent analytics and landscaping can identify technology trends, competitor pipelines, and

potential merger targets.

The session also covered the practicalities of building an exhaustive search strategy using keywords, classifications (like IPC and CPC), and citations across free and professional databases. While acknowledging the rise of AI in patent searching for its scalability, Ms. Mahajan cautioned against its limitations in understanding legal nuances and raised concerns regarding data privacy.



She concluded by advising practitioners to maintain a balance between exhaustiveness and targeted results while ensuring that search outcomes are translated into actionable intelligence.

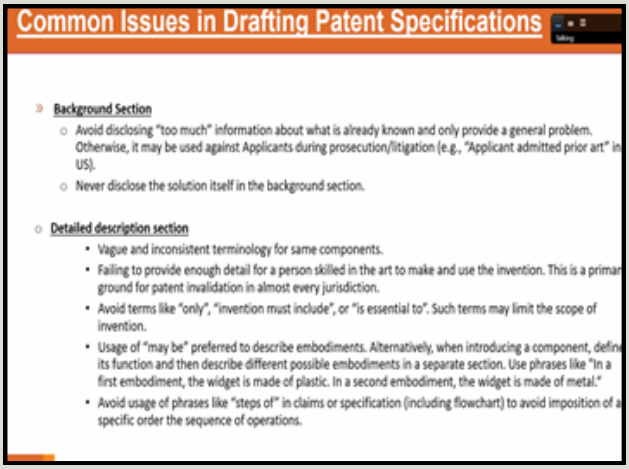
PATENT DRAFTING INSIGHTS

This session, led by Mr. Ishan Arora, provided a deep dive into the technical and legal requirements of a patent specification. Mr. Arora emphasized that a well-drafted patent must provide full enablement, containing enough detail so that any person skilled in the art can fully understand and practice the invention. Beyond enablement, the detailed description section must clearly outline the technical problem being addressed and the specific advancements or effects the invention provides.

Additionally, in jurisdictions like India, demonstrating the economic significance of an invention such as a significant reduction in



manufacturing costs is as vital for a grant as proving technical advancement. Finally, the session addressed the practical aspects of drawings and claim structure for enforcement purposes. Drawings are mandatory in most jurisdictions and must include at least one illustration that is properly numbered and referenced within the text. Ultimately, the quality of these drafted claims directly impacts the patent's success during prosecution, its strength in infringement analysis, and its overall market valuation for licensing.



THE HAGUE SYSTEM FOR THE INTERNATIONAL REGISTRATION OF INDUSTRIAL DESIGNS

OPPORTUNITIES FOR INDIAN INDUSTRY AND THE CASE FOR ACCESSION

MS. MARIE PAULE RIZO
DIRECTOR, HAGUE LEGAL
AND TREATY PROMOTION DIVISION, HAGUE REGISTRY,
THE WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO).



INDIA'S DESIGN AMBITION AND THE GLOBAL OPPORTUNITY

In January 2026, India's Department for Promotion of Industry and Internal Trade (DPIIT) released a concept note proposing amendments to the Designs Act, 2000, including consideration of accession to the Hague System for the International Registration of Industrial Designs, managed by the World Intellectual Property Organization (WIPO). The proposal aligns with the Government's broader emphasis on strengthening a domestic design ecosystem, positioning Indian industry to compete globally through design-led innovation.

The initiative reflects the Prime Minister's vision of "Design in India, Design for the World". This ambition is increasingly visible in practice, as design is emerging as a central driver of value across India's industrial landscape, from consumer goods and automotive components to digital products. It is also part of a broader structural shift in which India has become one of the fastest growing design jurisdictions globally. According to WIPO, India recorded a 43.2% increase in design filings in 2024, moving from 11th to 7th position worldwide, with domestic applicants accounting for around 90% of total filings. Recent data from the Indian IP Office illustrates this momentum: total design filings increased from 40,328 in 2024 to 44,622 in 2025, a 10.6% rise, while resident filings grew by 12.6%, underscoring the depth and dynamism of domestic design activity.

While resident filings have seen healthy growth, India's international design footprint remains comparatively limited. Indian applicants filed 2,988 designs abroad in 2024, a small fraction of domestic filings.

This gap is not simply a matter of commercial choice. It points to structural challenges in securing and managing design protection across multiple jurisdictions. A central factor is that India is not currently a member of the Hague System, which enables simplified, centralized protection of industrial designs across multiple jurisdictions through a single international application.

A MISSING LINK IN THE INTERNATIONALIZATION OF INDIAN DESIGN

Consider a typical Indian exporter, an automotive component manufacturer supplying products to multiple international markets, or a company developing mobility solutions for deployment across Europe, North America or Southeast Asia. In each case, design protection must be secured country by country, through separate filings, local representatives and multiple administrative processes.

This approach is not only costly, but also time-consuming and difficult to coordinate. For products with short commercial lifecycles, such as fashion or seasonal goods, the delay alone can undermine the value of protection.

By contrast, competitors based in jurisdictions that are members of the Hague System can secure protection across multiple markets through a single, coordinated filing. The difference is not mer-

lely procedural, it directly affects speed to market, cost efficiency and strategic agility, and ultimately shapes competitive positioning in global markets.

THE "BACK-DOOR" REALITY

In practice, some Indian-origin companies have found ways to access the Hague System indirectly. By filing through foreign subsidiaries or commercial establishments located in member countries, they can meet the eligibility criteria and benefit from the system.

While this approach is legally sound, it is far from ideal. It introduces additional layers of complexity and is typically feasible only for larger, internationally structured firms. Smaller companies, startups and individual designers rarely have this option.

The result is a form of unequal access. A limited segment of Indian industry can operate with global tools, while the majority remains confined to more fragmented and resource-intensive pathways.

WHY THE ACCESSION OF INDIA TO THE HAGUE SYSTEM WOULD MATTER

India's accession to the Hague System would address this imbalance in a straightforward and effective way.

For businesses, it would mean lower costs and simpler procedures for securing protection abroad. More importantly, it would enable a shift toward truly global design strategies, where protection can be aligned with product launches and market expansion.

For startups and SMEs, the impact could be even more significant. Access to a centralized international system would remove a major barrier to scaling design-led innovation beyond domestic borders.

At the ecosystem level, accession would bring India into alignment with the other major pillars of international IP protection, complementing its existing participation in the Madrid System for trademarks and the Patent Cooperation Treaty for patents, all administered by WIPO. This would further enhance India's attractiveness as a destination for design-driven investment and innovation.

UNDERSTANDING THE HAGUE SYSTEM: A GLOBAL TOOL FOR DESIGN PROTECTION

In today's global economy, design has become a decisive factor in competitiveness. From the shape of a consumer product to the interface of a mobile application, visual appearance often determines market success. Protecting that design across multiple markets, however, remains a complex undertaking. The Hague System provides a practical means of simplifying this process and reducing associated costs.

The Hague System offers a streamlined way to secure and manage design protection in multiple jurisdictions through a centralized mechanism. Instead of filing separately in each country, an applicant can file a single international application for up to 100 designs, in one language and with one set of fees, and seek protection in multiple jurisdictions. The application is examined by WIPO for compliance with formal requirements, while the intellectual property offices of the designated jurisdictions may carry out substantive examination in accordance with their national laws.

What emerges from this process is not a single global registration, but a bundle of national or regional registrations, each governed by the laws of the designated jurisdictions, yet managed centrally for administrative purposes. This hybrid structure is precisely what makes the system both efficient and flexible.

Today, the Hague System spans more than 80 Contracting Parties, covering close to 100 countries, including major markets such as China, the USA, the European Union and the UK. It has become a cornerstone of the global intellectual property framework for design protection.

What makes the system particularly attractive is not just its structure, but practicality. There is no requirement to first obtain a national registration, and applicants are not obliged to appoint a local representative to file an international application. The system also offers flexible publication options, allowing businesses to align protection with product launch timelines.

Additionally, renewals, ownership changes and other administrative actions can be managed centrally through WIPO. In essence, the Hague System transforms what would otherwise be a

fragmented, time-consuming multi-jurisdictional exercise into a coordinated and busininess-friendly process.

The advantages follow naturally. Administrative complexity is reduced, as companies no longer need to navigate multiple filing systems in parallel.

Costs decrease when protection is sought in several markets, thanks to economies of scale. At the same time, businesses retain strategic flexibility: they can choose exactly where to seek protection, based on their commercial priorities.

Equally important is the lifecycle perspective. Once a design is registered, managing it across jurisdictions becomes far simpler, with centralized procedures replacing a patchwork of national requirements. Major global companies, as well as SMEs with international ambitions, use it routinely as part of their design protection strategies across multiple markets.

The conclusion is clear: the Hague System is not a niche administrative option, it has become a standard tool for companies that compete through design on a global scale.

CONCLUSION: A STRATEGIC OPPORTUNITY

The global landscape of design protection is evolving, and the Hague System has become one of its defining features. It is widely used by leading economies and companies that compete through innovation and design.

India, for its part, has developed a vibrant and rapidly growing design ecosystem. Its position among the top global filers, combined with strong growth in domestic activity and a steady rise in filings abroad, points to an economy that is increasingly design-driven and outward-looking.

Yet, in the area of international design protection, a key piece of infrastructure remains out of reach. The question, therefore, is not whether the Hague System is relevant to India, but whether Indian designers and companies should continue to operate without direct access to a tool that their global competitors use as a matter of course.

Accession would not simply simplify procedures. It would level the playing field, broaden access to international protection and support the continued evolution of India as a design-driven economy. In a world where design is a critical asset, ensuring that Indian innovators can protect it globally is not just a legal consideration, it is a strategic imperative

EUROPE EXPANDS DESIGN PROTECTION INTO THE DIGITAL ECONOMY

MR. IGNACIO DE MEDRANO CABALLERO
HEAD, PROMOTION OF IP SYSTEM, EUIPO



The European Union completed a significant overhaul of its design law framework in 2024, with the revised Regulation entering fully into force in July 2026. For Indian businesses active in or entering EU markets, understanding this reform is a practical commercial matter, not an abstract legal question.

WHAT THE REFORM CHANGES

The central change concerns the definition of a protectable design. Previously, EU design law was anchored to physical products. The reform extends legal protection to a considerably broader range of outputs, many of which are central to how Indian companies compete in export markets today.

Specifically, protection now covers animated sequences, on-screen transitions graphical user interfaces, typefaces, and the overall layout of interior spaces such as retail environments and hospitality venues. Three-dimensional product designs remain protectable, and the reform introduces greater clarity around component parts and what constitutes sufficient novelty.

The legal threshold remains individual character: the design must produce a different overall impression on an informed user compared to prior designs. What changes is the range of outputs that can meet that threshold.

EUIPO REGISTRATION: WHAT INDIAN BUSINESSES SHOULD KNOW

The EUIPO operates with a very efficient design registration systems. Under its accelerated procedure, registration can be completed in two working days from the date of filing, subject to the application meeting formal requirements. Standard processing typically completes 7 days.

A single application with the possibility of using English language, covers the whole territory of the European Union. The cost of a single design registration starts at EUR 350 (38,578 INR approx.) A single multiple application allows for the registration of up to 50 designs, provided they have the same owner and representative.

India is a signatory to the Paris Convention, which means Indian businesses can claim a six-month priority period from an Indian design application when filing at EUIPO. This allows companies to first establish domestic protection and then extend to the EU without losing novelty.

THE INDIA-EU TRADE DIMENSION

Negotiations on the India-EU Free Trade Agreement have resumed in earnest, with both parties targeting a substantive agreement in the near term.

While the final text will determine the specific IP provisions, the agreement is widely expected to include mutual recognition arrangements and enhanced cooperation on design protection enforcement. For Indian exporters, this creates a direct commercial incentive to establish EU design registrations now.

Sectors with the most immediate interest include

consumer goods, textiles and apparel, pharmaceutical packaging, automotive components, and digital services. All these sectors are design intensive and therefore, the EU design system might be an attractive option to protect the appearance of the Indian products entering the EU market.

Indian companies in the technology sector with distinctive user interfaces for European enterprise or consumer markets, can benefit directly from the reform's extension of protection of design to non-physical products. This is a substantive expansion of scope that did not exist before the reform of the EU design system.

IN SUMMARY

The EU design reform expands the scope of what can be protected, brings digital outputs explicitly within the framework, and maintains a registration system that is accessible to businesses of all sizes. For Indian companies, the combination of broader protectable subject matter, a single-filing system covering the whole EU single market, and the recently adopted India-EU trade agreement makes this a practical priority for IP strategy, not a deferred consideration.
Registrations filed now will be in force and enforceable at the point the trade agreement takes effect. The administrative cost of doing so is modest relative to the commercial protection it provides across the EU single market.

PRACTICAL ILLUSTRATIONS

DIGITAL SERVICES AND APP INTERFACES

An Indian fintech company launching in European markets can now register the visual design of its application interface, including signature transition animations between screens, as an EU design. This was not possible under the previous framework.

CONSUMER GOODS PACKAGING

An Indian food company exporting to Germany registers its packaging design at EUIPO. Under the reform, protection extends not only to the physical container but also to the distinctive on-screen presentation used in the brand's e-commerce interface. A single registration covers all the territory of the European Union and its 450 million consumers.

RETAIL AND HOSPITALITY

Indian lifestyle and food and beverage brands expanding into the EU through franchise or direct retail models can register the distinctive spatial and interior design concept of their outlets. This provides an enforceable basis to prevent unauthorised replication of a store concept across European single market.

27
EU Countries covered by 1 registration

450M
Consumers in the EU single market

2
days minimum processing time under EUIPO fast track

CRASHING THE GAME, NOT THE LAW: AMBUSH MARKETING AND IP LAW



ANOOJA PADHEE
PARTNER,
K&S PARTNERS

JYOTI PANIGRAHI
ASSOCIATE
K&S PARTNERS



The annual mania surrounding the cricket league, the Indian Premier League (IPL) has arrived in India in full swing yet again. The competitive spirit surrounding the IPL is not just limited to the sport but also to the myriads of brands that are vying for the attention of the audience. Every time you come across a witty, perfectly timed notification from food delivery apps, nudging you to "order before the next over ends" or "when the boys hit a 6, you get 66% off," or celebrating a last-ball finish with an unmissable discount, you are being drawn in. These notifications do not use any official logos or claim any association with the IPL, yet they tap directly into the excitement of the match unfolding on your screen. This is no coincidence. In fact, it is a carefully thought-out creative strategy. In many ways, this is where brands become part of the game without ever being official partners.

This is ambush marketing, where campaigns are launched around a major event, typically in the sporting context, by companies that are not official sponsors or partners, to leverage the popularity of the event for their own promotion. One of the most well-known examples of this strategy is the 'Nothing official about it' campaign launched by PepsiCo during the 1996 Cricket World Cup after losing out on the official sponsorship to arch-rival, the Coca-Cola Company. The campaign had cricketing legends such as Sachin Tendulkar and Mohammed Azharuddin casually sipping a Pepsi drink while saying that there was 'nothing official about it'. While one saw hoardings and bottles of the official sponsor, Coke, during the match, it was Pepsi that stole the show with its quirky and memorable campaign.

This authors' take is slightly different from the usual criticism that ambush marketing is subjected to. With the rise of Artificial Intelligence (AI) and more creative forms of advertising, today, brands can engage with consumers in real time during such mega events, with sharp and catchy content. Many such campaigns, especially those that are non-deceptive and not disparaging, are not unfair, but simply creative. Trying to restrict this avenue through intellectual property (IP) law would risk "ambushing" creativity and innovation itself. This article, therefore, argues that the law should facilitate such creativity within its existing boundaries. Mere reference that is not disparaging must not be curtailed, and a delicate balance must be struck to ensure that genuine IP rights of companies are not adversely impacted.

Across the IPL, Fédération Internationale de Football Association (FIFA), the Super Bowl or even the Olympics, brands invest heavily to grab exclusive attention through IP or sponsorship agreements, yet IP law does not necessarily protect exclusivity in attention. While some describe ambush marketing as an unquestionably unethical business strategy, others view it as smart marketing and a recognizable exercise of competitive creativity. Unsurprisingly, many companies seek redressal of their grievances in this regard through legal channels. The direct grounds of challenge typically include disparagement, misrepresentation, brand dilution, passing off, and unfair competition. Let us examine these grounds in detail.

TRADEMARKS LAWS

Under the Trade Marks Act, 1999 (TM Act), trademark protection is primarily concerned with consumer confusion. Right holders enjoy exclusivity in their brands and any unauthorized use could amount to infringement of these exclusive rights. However, infringement is not triggered by mere reference, but by misleading use that causes confusion or takes unfair advantage. In Tata Sons Ltd. v. Greenpeace International, the Delhi High Court, had to decide whether use of the name "TATA vs Turtle" for a game critiquing TATA's port construction project, would amount to infringement. The court clarified that denominative use of a trademark does not constitute infringement in the absence of misrepresentation and deception. The Court stated that "if the user's intention is to focus on some activity of the trademark owners, and is 'denominative', drawing attention of the reader or viewer to the activity, such use can prima facie constitute 'due cause' under Section 29 (4), which would disentitle the plaintiff to a temporary injunction."

In Royal Challengers Bangalore (RCB) v. Uber India Systems Pvt. Ltd., the Court held that a humorous advertisement which includes the mere presence of a reference similar to the RCB trademark, such as "ROYALLY CHALLENGED BENGALURU", is devoid of confusion or commercial exploitation of goodwill, falls within permissible limits and hence, does not amount to infringement. The Court affirmed that the law with relation to dilution of trademarks, leads to the inference that the mere use of an identical mark does not per se create a presumption of infringement under Section 29(4) of the TM Act.

Similarly, passing off under Section 27 of the TM Act requires the classical trinity of goodwill, misrepresentation, and damage to be satisfied. An advertisement or notification that rides on the excitement of an event, without claiming official affiliation, clears none of those hurdles. In this context, in ICC Development (International) Ltd. v. Arvee Enterprises, the Delhi High Court held that promotional schemes referencing a sporting event do not amount to passing off unless they create a false impression of official assoc-iation. The defendant's conduct, thoughcommercially opportunistic, lacked the element of deception. On the contrary, in World Wrestling Entertainment Inc. v. Reshma Collection, the unauthorized use of logos and distribution of event-related material was held to constitute passing off, as it directly traded upon the plaintiff's goodwill.

COPYRIGHT LAWS

The Copyright Act, 1957 protects original expression, not the underlying event or its public appeal. This distinction limits its applicability in cases involving ambush marketing. A brand that leverages the idea of the event, rather than its protected content, operates in a space that copyright law does not reach. For instance, in ICC Development (International) Ltd. v. Arvee Enterprises, while trademark passing off claims based on use of "WORLD CUP" failed, the Court granted relief against unauthorized use of the event logo under the purview of copyright law.

COMPARATIVE ADVERTISING AND PARODY CLAIMS

With respect to comparative advertising and parody, courts in India have time and again adopted a balanced approach. As seen in Royal Challengers Bangalore v. Uber India Systems Pvt. Ltd, a creative jab or parody is permissible unless it deceives or disparages. The Court stated that "humour is one of the great solvents of democracy; and that the parody must take from the trademark in order to be recognizable, yet fall short of infringement, not carrying any element of deception." Thus, commentary that does not deliberately mislead or harm the mark owner's reputation is usually tolerated under freedom of speech granted by Article19(1)(a) of the Constitution of India.

As Tata Sons Limited vs. Greenpeace International makes it clear, the Court's role is not to be a literary critic or censor, it merely patrols the boundaries of free speech.

While certain ambush tactics could arguably fall under the purview of the Consumer Protection Act, 2019, as it defines "unfair trade practice", an action under this Act can only be initiated by a "consumer", limiting its utility for event sponsors. Even the Emblems and Names (Prevention of Improper Use) Act, 1950, protects specific symbols such as Olympic emblems, but for most commercial events,

no equivalent statutory protection exists.

Ambush Marketing Globally

Some countries have enacted event-specific anti-ambush legislation. Examples are the United Kingdom which enacted the London Olympic Games Act, 2006, New Zealand which enacted the Major Events Management Act, 2007, and South Africa which enacted the Merchandise Marks Act, 2002.

However, India largely relies on traditional IP doctrines and statutes. While IP law is strict and has clear standards when it comes to disparagement, consumer confusion, deception, or unfair competition, it still has an appetite for humour and parody, thereby giving a boost to creativity. This allows for a legal and cultural landscape where ambush marketing is not just possible but often celebrated. Especially in a country like India, which has such a diverse consumer and cultural base, marketing and branding strategies that leverage such events in a creative manner, have the capability to bring people together, irrespective of their loyalties, preferences or cultural, linguistic differences. It is because of this that ambush marketing has evolved into a distinctly digital and culturally attuned practice in India. This raises an uncomf-ortable question—are sponsors paying for exclusivity that IP law does not, and perhaps cannot, guarantee?

It is easy to view this as a gap in the law that must be addressed to better protect commercial interests. However, doing so would require expanding IP protection beyond its traditional limits, potentially granting event organizers a monopoly over public discourse itself. The case laws discussed above demonstrate that IP law has always struck a delicate balance between the grant of exclusive rights while leaving room for competition and creativity. Extending these rights to instances of non-deceptive, indirect references that do not cause consumer confusion would stretch the law beyond its limits. Event organizers are sufficiently protected under the existing legal framework, especially in cases where they establish a likelihood of confusion, deception, defamation, disparagement, and unfair advantage. That said, parody and creativity must be encouraged and not "ambushed" by monopolistic rights. In a world where witty notifications can rival multimillion-dollar sponsorship deals, one question remains: should IP law leave room for creativity, laughter, and competition, or should it strictly grant commercial exclusivity? The authors vote for the former.

BECOME A MEMBER!

FICCI IP FORUM
- A Community of IP Professionals -

Background

FICCI launched its unique initiative - FICCI IP FORUM - in May 2020 to provide an interface for businesses to resolve their issues pertaining to intellectual property rights and also develop a pool of IP professionals whose knowledge and expertise will benefit the industry at large.

Objectives

- To create a consortium of legal professionals who are keen to support IP and encourage innovation, brand protection and creativity among various stakeholders.
- To strengthen the IP ecosystem in India and play an important and more comprehensive role in addressing existing and evolving issues in the area of IP in India.

Benefits

- Engagement in IP Policy Advocacy Networking through various FICCI national & international seminars/conferences
- Speaking/ participating opportunities in various FICCI Webinars
- Enhanced Visibility for forum members
- FICCI IP Talks
- Several other Benefits

CONTACT

For membership and more information, please contact:

Ruchita Singh
Joint Director & Head (IPR)
ruchita.singh@ficci.com

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Design Linked Incentive Scheme by MeitY

January 4, 2026

Semiconductor chip design has emerged to become a critical enabler in various fields, accounting for up to half of value addition in the chip lifecycle. It is becoming a core pillar of India's self-reliance strategy under the Semicon India Programme. Through MeitY's Design Linked Incentive (DLI) Scheme, the government is nurturing a globally competitive fabless ecosystem, with 24 supported chip design projects spanning strategic sectors such as video surveillance, drone detection, energy metering, microprocessors, satellite communications, and IoT SoCs. The scheme supports semiconductor design across the entire lifecycle, covering ICs, chipsets, SoCs, systems, and IP cores. The momentum is visible on the ground: 16 tape-outs, six ASIC chips, 10 patents, over 1,000 engineers engaged, and more than three times private investment leveraged. As global semiconductor supply chains remain fragile and geographically concentrated, India's focus on design-led capability building positions it as an increasingly credible and resilient player in the global semiconductor landscape.

Source: https://www.pib.gov.in/

CGPDTM Public Notice: Standardised Patent Specification Format

January 31, 2026

Effective 26 January 2026, the Indian Patent Office introduced a standardised patent specification format to streamline drafting and examination without altering Section 10 of the Patents Act, 1970. A complete specification must still fully describe the invention, disclose the best method, define clear claims, and include an abstract.

The reform standardizes structure into: Title, Field, Background/Prior Art, Objects, Summary, Drawings, Detailed Description, Claims, and Abstract. Greater emphasis is placed on technical effect, enablement, and claim clarity, especially for AI and software inventions, requiring clear articulation of technical problem, solutions, and advancement. The change improves drafting discipline, examination efficiency, and global alignment while leaving substantive patent law unchanged.

Source: https://www.intepat.com/

National Biodiversity Authority (NBA) mandates disclosure of foreign biological resources for IPR filings

February 4, 2026

National Biodiversity Authority (NBA) clarified Rule 18(1) of the Biological Diversity Rules, 2024, requiring disclosure of foreign biological resources and associated traditional knowledge (TK) used in research, commercial utilisation, or IP filings in India. IP applications filed on or after 21 December 2024 involving such foreign resources must include a Form-10 declaration on the NBA portal, provided access or intent to use arose after that date. This requirement does not replace approvals under Sections 6(1), 6(1A), and 6(1B) of the Biological Diversity Act, 2002 for Indian biological resources. Applicants must ensure dual compliance—Form-10 disclosure for foreign resources and existing NBA approvals for Indian-origin resources.

Source: http://nbaindia.org/

CGPDTM Public Notice: Invitation to YUVA IP Manthan

February 9, 2026

The Office of the Controller General of Patents, Designs and Trademarks (CGPDTM) announced YUVA IP Manthan, held on 9 February 2026, inviting students, professionals, innovators, start-

ups, and stakeholders to participate in consultations on the proposed Draft Code of Conduct. The initiative aims to discuss ethical and professional standards governing interactions within the Indian IP ecosystem.

By opening the draft for stakeholder feedback, the IP Office promotes transparency, accountability, and responsible IP practice. The platform reflects a shift toward participatory policymaking, enabling emerging voices from academia and industry to contribute to governance reforms and helping shape the final Code to strengthen institutional integrity and trust in India's IP administration.

Source: https://abcaus.in/

India Brazil sign TKDL Access Agreement between CSIR and INPI

February 21, 2026

India and Brazil have taken a significant step to safeguard traditional knowledge with the signing of a TKDL Access Agreement between CSIR (India) and INPI (Brazil) in the presence of Shri Narendra Modi, Hon'ble Prime Minister of India and H.E. Luiz Inácio Lula da Silva, President of the Federative Republic of Brazil, on 21 February 2026.

By enabling Brazilian patent examiners to access India's Traditional Knowledge Digital Library, this partnership strengthens global efforts to prevent biopiracy, improve patent quality, and ensure that ancient knowledge systems are not wrongly patented as modern inventions.

Source: https://www.pib.gov.in/

CGPDTM Public Notice: Orange Minds IPR Lecture Series

March 12, 2026

The Cell for IPR Promotion and Management (CIPAM) has launched "Orange Minds," a specialized IPR lecture series from March 16 to April 10, 2026. Inspired by the "Orange Economy," the initiative aims to cultivate IP awareness among students and young innovators.

Hosted at premier institutions like NLU Delhi and NIFT, the sessions feature legal experts and industry leaders discussing diverse themes like fashion law, digital music copyright, and anti-counterfeiting. By bridging academia and industry, the series empowers the next generation to transform creative ideas into protected national assets.

Source: https://ipindia.gov.in/

CGPDTM Public Notice: WIPO Global Awards 2026

March 12, 2026

The Office of the Controller General of Patents, Designs & Trade Marks has issued a notice inviting Indian startups and SMEs to apply for the WIPO Global Awards 2026. This program honors enterprises effectively using intellectual property to drive business growth and societal impact across sectors like health, information & communication technology and agriculture. Winners receive global recognition, tailored mentorship, and networking opportunities. Special mentions are also designated for the Best Woman Entrepreneur and Best Youth Entrepreneur. Interested businesses must submit their applications via the WIPO website by March 31, 2026.

Source: https://www.wipo.int/

CGPDTM Public Notice: PAE/TAE Examination Result 2026

March 16, 2026

The Office of the Controller General of Patents, Designs and Trade Marks has officially released

the final results for the 2026 Patent Agent Examination (PAE) and the Trade Marks Agent Examination (TAE). Following a rigorous selection process involving written papers and viva-voce sessions, the list of successful candidates eligible for professional registration is now public.

These newly qualified agents are authorized to practice before the Indian Intellectual Property Office, providing essential legal and technical expertise to inventors and businesses.

The announcement marks the conclusion of the 2026 examination cycle and the expansion of India's professional intellectual property landscape.

Source: https://ipindia.gov.in/

WIPO Launches New Award for Cities of Innovation

March 25, 2026

WIPO has officially launched the "WIPO City of Innovation" award, a new global initiative recognizing cities that demonstrate an exceptional commitment to fostering local creativity and innovation. Open for applications from April 1 to June 30, 2026, the program rewards city leaders for 12-month pledges aimed at advancing their innovation ecosystems.

Winners will receive international recognition and a platform to showcase their local entrepreneurs and creators.
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Source: https://www.wipo.int/

Amendment to Jan Vishwas Bill passed in Rajya Sabha

April 2, 2026

India has taken a major step toward de-criminalising procedural and technical regulatory offences with the passage of the Jan Vishwas (Amendment of Provisions) Bill, 2026 in the Rajya Sabha.

The legislation amends 80 central Acts to replace criminal prosecution with civil penalties, warnings, advisories, and compliance-based mechanisms across multiple sectors.

The Bill removes imprisonment for several minor violations, omits offences such as false entries in the copyright register under the Copyright Act, 1957, introduces "improvement notices" for first-time contraventions, and revises fines with periodic increases.

The move reflects the government's broader effort to promote ease of doing business by treating technical non-compliance as a regulatory issue rather than a criminal one, while retaining strict action for serious and intentional violations.

Source: https://prsindia.org/

Ferrero S.P.A. vs. Abhimanyu Prakash & Ors.

January 6, 2026 (Delhi High Court)

The case arose from a trademark infringement suit filed by Ferrero S.P.A. alleging that the defendants manufactured and dealt in empty glass jars that infringed Ferrero's registered "NUTELLA" bottle trademark. The Single Judge granted a permanent injunction and ordered seizure of the infringing jars, which the defendants partly challenged in appeal, arguing that there was no clear finding of infringement and that the jars should be released for alternative use. The Division Bench upheld the injunction and seizure order, holding that once the bottle was claimed and accepted as a registered trademark and the jars were held to be infringing, the statutory consequences under Sections 28 and 135 of the Trade Marks Act necessarily followed. The Court reasoned that permitting reuse of infringing jars would dilute trademark exclusivity and undermine enforcement, and therefore directed destruction of the seized jars, subject to safeguards, reinforcing that trademark protection extends not only to labels but also to distinctive product containers.

Source: https://delhihighcourt.nic.in/

M/s Sunhok Wheels Pvt. Ltd. & Ors. vs. The State of West Bengal & Ors.

January 27, 2026 (Calcutta High Court)

The Calcutta High Court examined a challenge to a Trade Marks Registry order passed in opposition/rectification proceedings. The petitioners argued that the Registry had failed to properly consider key factors such as prior use, distinctiveness, goodwill, and the likelihood of confusion between the competing marks. The Court held that trademark rights must be assessed on the basis of evidence relating to use, consumer perception, and commercial reputation, and that the statutory authority is required to provide clear and reasoned findings on these aspects. Observing that the impugned order lacked adequate reasoning and reflected non-application of mind, the High Court set it aside and remanded the matter for fresh consideration. The Court further emphasized that trademark adjudication cannot be mechanical and must balance statutory requirements with commercial realities.

Source: https://www.bananaip.com/

Nadiadwala Grandson Entertainment vs. BSNL

February 11, 2026 (Madras High Court)

The Madras High Court granted a John Doe (Ashok Kumar) injunction to prevent unauthorised broadcast and online piracy of the film "O Romeo." Recognising the risk of pre- and post-release infringement, the Court issued a dynamic injunction against both identified defendants and unknown rogue websites. Such orders allow action against infringers whose identities are initially unknown. The Court held that illegal communication of the film would cause irreparable commercial harm and violate exclusive rights under the Copyright Act. Internet service providers and intermediaries were directed to block infringing links, reinforcing judicial reliance on pre-emptive dynamic injunctions to combat digital piracy.

Source: https://supremetoday.ai/

7Eleven International LLC vs. The Deputy Registrar of Trade Marks

February 11, 2026 (Madras High Court)

The Madras High Court dismissed 7-Eleven

International LLC's appeals in the "BIG BITE" trademark dispute against Ravi Foods Pvt. Ltd. Though 7-Eleven claimed global use since 1988 and filed in India in 1994 on a proposed-use basis, it failed to show actual commercial use or goodwill in India. The Court held that trademark rights are territorial and require bona fide use within the country. Website visibility was not considered "use." Since Ravi Foods had prior commercial use in India from 2004, its registration was upheld. Prior user in India prevails over unused prior registration.

Source: https://chambers.com/

Sporta Technologies Private Limited vs. Come Sports & Ors

February 24, 2026 (Delhi High Court)

In a major crackdown on digital piracy, the Delhi High Court has ordered the blocking of "Come Sports" and several related "rogue" websites for mimicking the popular fantasy sports platform, Dream11. Justice Jyoti Singh granted an ex-parte interim injunction to Sporta Technologies, noting that the defendants had blatantly copied Dream11's trademarks, user interface, and even promotional videos to deceive users. To safeguard the plaintiff's intellectual property, the court directed the Department of Telecommunications and MeitY to block 21 infringing domains, highlighting the judiciary's firm stance against fraudulent apps exploiting established brand reputations.

Source: https://supremetoday.ai/

Sunshine Pictures vs. BSNL

March 2, 2026 (Madras High Court)

The Madras High Court, under Justice Senthilkumar Ramamoorthy, granted an ex-parte interim injunction to protect the film The Kerala Story 2 – Goes Beyond from piracy. Acting on a suit by Sunshine Pictures, the court restrained ISPs and cable operators from unauthorized broadcasting. Recognizing the potential for "irreversible injury" to the producers, the court mandated the blocking of infringing platforms until March 23, 2026. However, the plaintiff must indemnify any respondent whose legitimate business interests are negatively impacted. This injunction mandates film piracy protection through early ISP blocks while balancing accountability with indemnification.

Source: https://www.barandbench.com/

Crocodile International Pte. Ltd vs. La Chemise Lacoste & Anr

March 9, 2026 (Delhi High Court)

In a major crackdown on digital piracy, the Delhi High Court has ordered the blocking of "Come Sports" and several related "rogue" websites for mimicking the popular fantasy sports platform, Dream11. Justice Jyoti Singh granted an ex-parte interim injunction to Sporta Technologies, noting that the defendants had blatantly copied Dream11's trademarks, user interface, and even promotional videos to deceive users. To safeguard the plaintiff's intellectual property, the court directed the Department of Telecommunications and MeitY to block 21 infringing domains, highlighting the judiciary's firm stance against fraudulent apps exploiting established brand reputation.

Source: www.worldtrademarkreview.com

NEC Corporation vs. The Controller Of Patents And Designs And Anr

March 9, 2026 (Calcutta High Court)

In a landmark ruling for the digital economy, the Calcutta High Court held that screen icons and user interface (UI) layouts are registrable

Iunder the Designs Act, 2000. Overturning a previous refusal by the Controller of Patents and Designs, the Court clarified that such digital elements constitute an "article of manufacture" and "industrial process" when integrated into devices like phones or computers.

Source: https://supremetoday.ai/

Thaler vs. Registrar of Copyrights (DABUS Judgement)

April 9, 2026 (Delhi High Court)

The Delhi High Court refused to recognize the AI system DABUS as an author under Indian copyright law, holding that copyright protection is based on human "skill and judgement." Echo-ing decisions from courts in the U.S., U.K., and Europe, the Court held that AI cannot independently own rights, undertake legal obligations, or qualify as a creator under the law, and must instead be treated as a tool. The judgment reinforces India's "natural person" requirement in intellectual property law, clarifying that while AI-generated works may have commercial value, the legal authorship and liability must ultimately rest with a human creator.

Source: https://indianexpress.com/

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Ruchita Singh

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