

KNOWLEDGEATE™- AUGUST 2020
**IMPARTING KNOWLEDGE ON LATEST CORPORATE LEGAL AND INTELLECTUAL
PROPERTY MATTERS**

**APPLE FILES PATENT FOR RING
DEVICE**

**Ref: www.macworld.co.uk, **Wednesday,
19.08.2020****



Apple has recently filed a patent for controlling electronic devices with a ring worn on your finger. It has been named as iRing and this can be particularly useful for AR and VR applications as an alternative to bulky data gloves. Sensors in order to gather input from a user include force sensors, ultrasonic sensors, inertial measurement units, optical sensors and touch sensors.

**US COURT UPHOLDS \$140 MILLION
COMPENSATION IN TCS- EPIC SYSTEMS
CASE**

**Ref: www.business-standard.com,
Friday, 21.08.2020**



An Appeals Court in United States has held that punitive damages amounting to \$280 million against Tata Consultancy Services in trade secret lawsuit filed by American medical software company Epic Systems are disproportionate. Epic is a private company and a leading provider of medical records systems used in hospitals and other healthcare facilities throughout the United States. However, the Chicago Courts on the other

hand upheld compensatory damages worth \$140 million. This lawsuit was filed in the year 2014 against TCS with allegations that they had stolen Epic System's IP. In 2016, Epic Systems won a jury award of \$940 million which was later on reduced to \$420 million in 2017 by a Wisconsin court. A notice of Appeal was thereafter filed by courts in Chicago. The precedent for massive damages shall be beneficial for protection of trade secret amongst businesses.

**GLOBAL PATENTS APPLICATIONS
REPORT**

**Ref: www.financialexpress.com, Monday, 24.08
.2020**



Latest data compiled by Geneva based World Intellectual property Organization has made startling revelations regarding Huawei, Mitsubishi Electric, Samsung and Qualcomm filing more international patent applications than the whole of India in the year 2019. This data has been compiled based on applications filed through WIPO's Patent Cooperation Treaty system. The top 50 patent filers globally are the companies in the network product space where

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Indian Companies don't have a meaningful presence as such. Despite significant progress made by India in overhauling the system of patent, trademark, design and copyright filings in recent years, IP sector is still plagued by inadequate spending on R&D as well as lack of awareness about the importance of protecting one's IP. There has been negligible contribution from State Governments towards improving IP infrastructure. Though Centre has come up with unique ways like introducing IPR Policy in 2016, Start up India initiative employment of a greater number of people to name a few. However, the innovation and creativity are self-driven and multifarious activities of awareness should be conducted for creating value to innovative thinking and entrepreneurship.

**TECHGENTSIA: A VILLAGE- BASED
VIDEO CONFERENCING START UP'S
ZOOM CHALLENGE**

**Ref:www.business-standard.com, Monday
24.08.2020**



Techgentsia Software Technologies with its youthful founder Joy Sebastian aged 44 is all set to challenge zoom after having developed a world class video conferencing solution named VCONSOL. This firm has recently won the Ministry of Electronics & Information Technology's Digital India "Grand Challenge" award. This award includes financial support of Rs.1 crore for the firm with an additional 10 lakh for next three years for operation and maintenance from government. Vconsol will be installed at all Union government offices. This app supports 8 Indian languages. This firm has developed many video conferencing solutions for companies worldwide. Along with video and

audio quality this software has inbuilt security systems that gives Vconsol an edge over other players like Zoom, Google Meet and Microsoft Teams.

**HAVMOR SUES DELHI-BASED BRAND
FOR TRADEMARK THEFT**

**Ref: Timesofindia.indiatimes.com, Monday,
24.08.2020**



Havmor, a 70-year-old well known Gujarat based brand has recently sued a Delhi based pickle and cereals brand –Hands on Trade Private Limited and Rajasthan based VLS Food Private Limited for trademark violation by selling its products under brand name Usha aunty's Havmore. VLS Food manufactures products which usually markets them under the alleged disputed trademark. Hands on Trade applied for registration of trademark this year and even the Registrar of Trademarks in its report had cited this trademark being identical and similar to existing marks. The decision would be interesting to see the confluence wherein the brand is well known for Ice creams and would it be given protection and exclusivity for all food products.

**CHAROTAR VILLAGE EARNS
PROTECTION FOR GINGER, TURMERIC**

**Ref: Timesofindia.indiatimes.com, Tuesday,
25.08.2020**



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Farmers at Boriavi, a village in Central Gujarat have got their traditional ginger and turmeric varieties registered in the name of village. These traditional spices have gained a lot of popularity as immunity boosters in these pandemic times. This protection has been sought from The Protection of Plant Varieties and Farmers' Rights Authority, Government of India. In this case, ownership is not an individual ownership but is collective ownership of village and farmers who have grown these crops. The unique quality of the ginger is that it is fibre free and of unique aroma. The turmeric that is full of aroma has a very long shelf life and is also rich in oil content. Another feather in the cap of traditional produce has been added with this registration.

T-SERIES SUES ROPOSO FOR ALLEGED COPYRIGHT INFRINGEMENT

Ref: Tech.economictimes.indiatimes.com, Friday, 28.08.2020



T Series has sued Roposo for copyright infringement. Roposo a short video-app owned by advertising technology company InMobi. T

series has apparently sought a permanent injunction to stop Roposo from using its copyright material. The main allegation that has been leveled is that this app is infringing content under user generated content. The music is being offered in library and users are being enticed to upload content in exchange for cash rewards. Roposo has also been found removing rights management information pertaining to its copyrighted songs in the "Music Library" and knowingly distributing, broadcasting and communicating to the public infringing copies which is blatantly in violation of the copyright laws. T-series being one of the established music production company has rights of its own and also assignment rights for extensive number of singers across the board and thus this decision would be imperative for royalty and protection of rights of music performers and singers.

PATENT INFRINGEMENT CLAIM FOR HCL SOFTWARE

Ref: Economictimes.indiatimes.com, Sunday, 30.08.2020



A lawsuit has been filed by a Texas-based company Coretek Licensing alleging infringement by HCL's software product, HCL Sametime. HCL Sametime is an application used for collaboration by enterprises and has features like Instant messaging and web conferencing. Coretek has sought a jury trial and an account of all alleged "infringing sales" and damages. Coretek has filed few patents, the claims in which have been infringed by HCL Sametime.

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**GUNJAN SAXENA- THE KARGIL GIRL:
DELHI HC REFUSES TO GRANT
INJUNCTION IN A PLEA MOVED BY
CENTRE**

Ref: www.livelaw.in, Wednesday, 02.09.2020



In a plea moved by Central Government, the Delhi High Court has refused to grant injunction against movie Gunjan Saxena: The Kargil Girl. The petition was moved on the averment that the movie had depicted Indian Air Force in bad light. However, as per the courts, the plea was filed at a belated stage and the movie had been streaming on the Netflix platform for a very long time. The main concern that has been raised around projection of this film is that whenever any biopic is made on the life of a war hero the same need to be based on true incidents. Fictionalization and dramatization to an extent where entirely different perspective is created based on false and misleading events can leave adverse impression in the mind of public at large thereby tarnishing the image of true characters and the organization.

**INDIA JUMPS 4 PLACES ON GLOBAL
INNOVATION INDEX TO ENTER TOP 50
LEAGUE**

**Ref: www.business-standard.com, Thursday,
03.09.2020**



India has now become third most innovative middle-income economy in the world after it has moved four places on Global Innovation Index to rank at number 48. India has improved the most in the three pillars of Institutions, business sophistication and creative outputs. However, India continues to lag behind in infrastructure. Global Innovation Index Report is one of the most important report in order to gauge overall growth of any country from a long-term perspective. It gives accurate data and if delved upon seriously, one can come up with various ways how we can improve as individual nations and as a global community.



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