

CUSTODY OR INHERITANCE OR INTEREST OF CHILD

Re: The Times of India, Saturday, 01.09.2018



The Indian Succession Act, 1925 is being modified so as to replace the word "boy" or "girl" with child. It has been recommended to accommodate adoption of inter-sex children under the Juvenile Justice Act. The consultation paper on "Reform of Family Law" states that the paramount interest under family law and custody matters is the best interest of the child. There are suggestions to amend the guardianship laws and also use the word "parent" instead of father or mother, to make it gender inclusive. The aim is to progress towards a Uniform civil code and diversify personal rights without contradicting fundamental rights of citizens. The paper also advises codification of all personal laws. We shall await the clearance of the same in compliance with the paper.

CHYAWANPRASH V/S ZANDU CHYAVANPRASHAD

Re: The Times of India, Tuesday, 04.09.2018



Dabur has assailed Emami for the disparaging advertisement targeted to tarnish the well-established reputation of the brand Dabur and its product – Chyawanprash. The High Court while taking cognizance has directed Emami to withdraw the advertisement which has been appealed by Emami. The order strengthened the case of Dabur as it has been passed after the

Advertising Standards Council of India also ruled in favour of Dabur way back, but the same did not deter Emami who continued to air the said advert in various print and electronic media.

KENT V/S LG

Re: The Times of India, Thursday, 06.09.2018



Kent has obtained an ex-parte interim injunction against LG for their disparaging advertisement wherein the purifier of Kent was being compared with LG tainting the product and brand image. The court also accepted the plea and appointed a Local Commissioner who visited the premises of Kent and their authorized franchisee and ceased Kent products therefrom. A complete hearing of both parties is pending and the matter is sub judice at present. However, in the meanwhile LG and its franchisee have been directed to remove the aired advertisements.

BIO ENGINEERED CORNEA STEP AHEAD

Re: Mint, Saturday, 08.09.2018



Researchers have developed a Bio-engineered collagen which has been used on 10 patients over the last two years and has been successful as an alternative to corneal transplants. Dr. J S Titiyal, professor and head of cornea, cataract and refractory surgery services at AIIMS, stated that the lack of donors left the patients blind and

thus the new product was developed to overcome the hurdles of grafts.

SECTION 31 OF COPYRIGHT ACT CHALLENGED

Re: The Economics Times, Thursday, 06.09.2018



Lahari Recording Company has filed a writ petition challenging the provisions of Section 31 (1) B & D of the Copyright Act, 1957 terming them as monopolistic powers of the music label industry. The provisions stipulate the parameters and terms of non-voluntary licenses in public interest. However, the company states that the provision was inserted in the act to broaden the rights of broadcasters who have immensely suffered due to these provisions. Whether the Government represents and refutes the claim or the Apex Court adjudicates the matter shall decide the fate of the said litigation.

EU PARL CLEARS NEW COPYRIGHT REGULATIONS

Re: The Times of India, Thursday, 13.09.2018



EU Parliament has recently approved the new copyright regulations wherein strictures for compliance by technology platforms have been mandated. The opposite side state that the same might have “catastrophic” ramifications. The articles 11 and 13 stipulates that the technology platforms are under responsibility to filter posts and check for copyright infringement. The automated checks shall be a prerequisite prior to allowing the post go online. Whether legitimate or infringed content is barred from being publicly displayed shall be evaluated during the enforcement of these rules.

LAW FOR PROTECTION OF HUSBAND

Re: The Times of India, Saturday, 15.09.2018



Misuse of the penal provisions of Section 498A, IPC has led the Supreme Court to observe that the legislature needs to notify law for curbing the harassment of husband and other family members through nexus of complainants and police authorities. The Hon'ble Apex Court has stated that it is obligatory for the legislature to ensure genuineness of complaint and evidence to evaluate whether custodial arrest is required or not.

FIAT V/S MAHINDRA – PATENT LITIGATION

Re: Mint, Thursday, 13.09.2018



Fiat Chrysler assailed Mahindra to prohibit its launch of the car/jeep Roxor in USA. The

company claims that Mahindra is infringing the terms of the contract and the design of FCA in its Jeep Model and thus should be restrained from exporting its products to USA. After negotiations, Mahindra has agreed to incur the costs of a redesign and change to the distinctive approved grille design. Fiat Chrysler added that the product was modeled after the original Willys Jeep, which FCA had licensed Mahindra for assembling and selling in India way back in 1940s. Whether Mahindra violated the contract or FCA is wrongly interpreting the same might be adjudicated in case the matter is not settled between the parties. Mahindra has high stake involved in the launch of its newly designed product for the USA market and thus might make conscious efforts to settle.

REGISTRY FOR REPORTING SEXUAL OFFENCE LAUNCHED
Re: The Times of India, Friday, 21.09.2018



Cybercrime.govt.in, is the portal which has been launched recently wherein the victims of online sexual abuse, child abuse, child porn can report anonymously. Also, a database for sexual offenders registry has been operationalized which shall be accessible only to the enforcement agencies. The database shall include name, address, photograph and fingerprint details for each entry. However, it will not be open for public viewing, thus protecting the individual's privacy. The 'Cyber Crime Prevention Against Women and Children' portal is apparently user-friendly in that it enables reporting of the cases without complaints having to reveal their identity. This is expected to encourage victims, civil society outfits and concerned citizens to report the cases. We hope it deters the accused and offenders and also strengthens the confidence of the victims to report.

TAFE FARM MECHNISATIONS
Re: The Times of India, Saturday, 22.09.2018



Tractors and Farm Equipment (TAFE), is looking to extensively expand its CSR activities under the nomenclature 'JFarm Services' and the 'JFarm Services app' across the country. The initiative shall facilitate farmers to rent out or hire tractors, farm equipment so as to escalate farm mechanization. Presently, these services are being offered in Madhya Pradesh, Rajasthan, Gujarat and Utter Pradesh. Despite a whopping 65% Indians working in the agricultural sector, 20 crore or more Indian farmers have little or no access to mechanized tools. "JFarm Services" is also collaborating with various state governments to offer customized solutions to increase farm mechanization amidst small and marginal farmers below the poverty line and elucidate and enhance their productivity.

SUVEN PATENTS IN CANADA & SRI LANKA
Re: The Economic Times, Wednesday, 26.09.2018



Suven Life Sciences, has been granted patent for a new chemical entity used in treatment of disorders associated with neurodegenerative diseases by Canada and Sri Lanka. These patents are valid through 2034 and 2026, respectively and the granted claims are being developed as therapeutic agents useful in

treatment of cognitive impairment associated with disorders like Alzheimer's ADHD, Huntington's disease, Parkinson's and schizophrenia. The company is optimistic about the use and working of the patent product and process for treatment of patients at large.

LIFESTYLE PENALISED BY NAA
Re: The Times of India, Friday,
28.09.2018



National Anti-Profitteering Authority(NAA) has penalized Lifestyle International as it failed to provide customers the benefit of reduction in costs due to variance in GST. The order was triggered by a complainant of cosmetic item, wherein she was charged GST at 28% when the same was already reduced to 18%. The Director General anti-Profitteering found during his investigation that though the retail chain had no direct influence over the revision of MRP of external brands, it was still liable to revise the retail selling price (RSP) as they had taken the benefit of input tax credit (ITC) on the purchase of the product. Therefore, the retail chain was required to reduce the RSP to pass on the benefit of GST reduction to his customers.

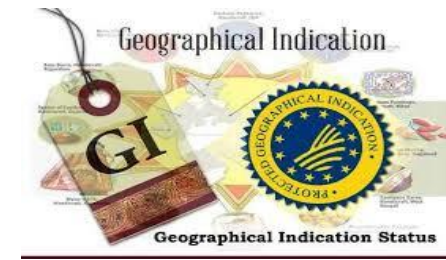
WIPEOUT OF ADULTERY AS A CRIME
Re: The Times of India, Friday,
28.09.2018



The Hon'ble Apex Court in its landmark judgment struck down the provision

criminalizing the offence of Adultery and repealing Section 497, Indian Penal Code. Though most organisations and women empowerment groups has welcomed it as a step towards a gender inclusive society, some have a different perspective wherein the effect of this judgment would be that the couples shall be at liberty to engage in extra marital affairs without fear of any criminal prosecution. Probably its amendment/modification to make it effective for both genders would have been an appropriate choice. However, the ramifications of this judgment on the society shall be witnessed by all of us soon.

GI FOR LITCHI
Ref: NDTV.com, 18.10.2018



Muzaffarpur, East Champaran, Vaishali, Samastipur and Begusarai districts of the state of Bihar are no longer names of just cities but homes to the most exclusive brand – 'SHAHI LITCHI' in the national as well as international market after the famous fruit won a GI tag to its name recently. A GI is a name or sign used on certain products which corresponds to a specific geographical location or origin such as a town, region, or country. Its use may act as a certification that the product possesses certain qualities due to its geographical origin. This GI registration in the name of Litchi Growers Association of Bihar is another welcome sign towards the growing trend in the Indian market with respect to protecting and safeguarding Intellectual property

PLAY SPORTS PENALISED BY SKETCHERS
Re: www.livelaw.in, 3.9.2018



World renowned brand Sketcher USA Inc. along with its affiliate entities have filed a suit for permanent injunction restraining Pure Play Sports from infringing their trade dress. In its order, Delhi High Court had imposed costs of Rs. 87 lakhs on Pure Play Sports for infringement. The dispute is two years old where in 2016, an interim injunction was granted in favour of Pure Play but the summary judgement was passed in the favour of Sketchers. Increasing instances of infringement of Intellectual property point towards a welcome trend whereby Indian society's dynamics have undergone a dramatic shift in the digital age from era where people did not consider it important enough to even acknowledge the brand value of any product. In order to maintain a balance its vital that the law enforcement agencies as well as the policy makers initiate a global campaign with respect to awakening and empowering people about the rights associated with their intellectual property before its' too late.

IP REGIME IMPROVISED
Ref: The Economic Times, 09.10.2018



India has achieved yet another milestone in strengthening the IPR Regime in the country by ensuring that the time lapse with respect to the process of granting patents as well as trademark is reduced. Protecting intellectual property in the fast growing technological world is becoming a great necessity. Steps like

increasing the manpower in the IP office and hiring more patent examiners has resulted in great improvement in the usual process that takes a lot of time. It is expected that by 2020, time span of patent examination of applications that took 5-7 years will be brought down to 18 months. These steps taken by the government officials point towards the growing solidarity within the country officials to ensure robust growth structure in the economy so as to facilitate removing impediments of technicalities in protecting IP.



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