

IMPARTING KNOWLEDGE ON LATEST CORPORATE LEGAL AND INTELLECTUAL PROPERTY MATTERS

GOA: MOIRA BANANAS AND HARMAL CHILLIES GET GI TAG

Ref: timesofindia.indiatimes.com, Sunday, 01.08.2021



Goa's Moira banana and Harmal Chilli are fourth and fifth items from the state to get Geographical Indication tag after Feni, Khola chilli and khajem. This recent GI protection accorded to these products will now ensure that local grower community gets their due benefit along with prevention of illegal use of these products. Moira These Bananas are considered to have medicinal value, high in energy, vitamins and minerals and is also used to make a dessert item – a halwa fried in ghee and cooked in sugar syrup. Chillies from Pernem are grown locally in the area covering coastal village of Arambol. They contain good amount of minerals such as potassium, iron, magnesium, calcium and sodium. This chilli is around 3.7 cm long with a reddish-brown colour and grown in lateritic soil. It has a high level of pungency and is often mixed with other spices to cook Goan dishes.

INDIA RANKS ON 48TH ON GLOBAL INNOVATION INDEX

Ref: pib.gov.in, Sunday, 01.08.2021



Reforms introduced in examining and granting of patents, designs, copyright and trademarks have been welcomed as a way towards building a

robust Intellectual property Rights infrastructure in the country. Encouragement to innovation, research and development can certainly give a boost to bring India's heritage to a global platform. Reduction in pendency on account of speedy disposal of applications, reduction in 80% filing fees for Startups, MSME's and women entrepreneurs, transition to digital platform for conducting of hearings and other processes has simplified, streamlined and made the entire process more user friendly. All these changes have concretely resulted in improving India's ranking in Global Innovation Index and now India is at 48th position worldwide.

OATLEY VS OATMILK

Ref: bbc.com, Thursday, 05.08.2021



A family run farm under the name and style Glebe Farm Foods who were accused of trademark infringement by a multi-million pound company Oatley have finally won the legal battle. Oatley alleged that the firm infringed 5 of their trademarks. Oatley which was founded in 1990's has been producing a milk substitute made from oats. Glebe Farm Foods launched an oat milk in the year 2019 under the name and style 'Oat Drink' and rebranded the same as 'PureOaty' in 2020. The court ruled that the similarities were very general and as such do not amount to any kind of infringement by Pure Oaty. Plausible injury to Oatley's marks by Oaty was completely denied by the judge in this case.

MCDONALD'S LOSES A TRADEMARK CASE YET AGAIN

Ref: bbc.com, Friday, 06.08.2021

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European Union Intellectual Property Office has recently ruled that Mc. Donald's has lost its exclusive claim on few food products within EU as Mc Donald's has been unable to prove genuine use of its own trademarked products. The long-standing dispute between Irish food chain Supermac and McDonalds has resulted into the EU authorities revoking exclusive trademark rights by McDonalds over the use of the term "Mc" over all of its products, although the right has been retained for few products like chicken nuggets and sandwich products. The Irish chain pinpointed the fact that McDonalds never use the prefix "Mc" in a standalone sense, but only in combination with a product name. Thus, there being was no evidence of use of the contested trademark "Mc" alone, but "only accompanied by further elements".

OPPO SETS UP INNOVATION LAB

Ref: thehindubusinessline.com, Tuesday, 17.08.2021



The renowned Smart Device maker Oppo has set up a specialized lab for camera innovation at its R&D Centre located in Hyderabad. This lab has been specifically designed to develop localized features, camera solutions using artificial intelligence and focus on developing software for a better user experience. The fact that company's Indian team shall be leading innovations for

countries like Middle East, Africa, South Asia, Japan and Europe is a testimony to the advancement that India has made in the field of R&D which is now second to none worldwide. Developing solutions for video, still photography and research on full dimension Fusion Portrait video System Technology are few technologies that will be worked upon and will develop in this lab. Accredited with 3500 image granted patents till 2021, Oppo is certainly leading the way towards transformation by localizing global solutions.

EMPOWERING TRIBAL CRAFTSMANSHIP INDIA

Ref: newsonair.com, Wednesday, 18.08.2021



Tribal Cooperative Marketing Development Federation popularly known as TRIFED has launched 75 new products and added to Tribes India Catalogue. TRIFED's mission is to drive socio-economic development of the tribals of the country, by way of marketing tribal products and empowering tribal people with tools, knowledge, and a pool of information so that it can aid them in undertaking the operations in a systematic and scientific manner. Products in the Tribes India Catalogue are sourced from tribal artisans all across the country. These new products will be registered as Geographical Indication in order to create awareness regarding them across the world and sensitize people about rich cultural heritage of India. TRIFED in collaboration with Ministry of Culture has also identified heritage locations situated in Sarnath, Uttar Pradesh, Hampi, Karnataka, Golconda Fort, Telangana for setting up of GI specific Tribes India stores.

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AMUL INJUNCTS KITCHEN WARE MAKER

Ref: thehindubusinessline.com, Sunday, 22.08.2021



Kitchenware and utensils maker Maruti Metal has been held liable by Delhi High Court in a trademark infringement case where the court held that the word 'Amul' is associated with milk and milk products sold by Gujarat State Milk Marketing Federation Ltd and any use of this trademark by any other entity shall tantamount to infringement. The defendant company in this case was found to be using the mark 'Amul Cook Ware' to sell their kitchenware. This misrepresentation was held to be a case of fraud by the court who granted ad-interim injunction in this case.

STARTUP TURNS STUBBLE INTO ECO-FRIENDLY PACKING MATERIAL

Ref: packaging360.in, Wednesday, 25.08.2021



A startup under the name and style Biotech Era Transforming India that was launched initially to grow mushrooms using stubble has now expanded to produce packing material instead. The founder of this start-up developed a technique by which she used pathogens and bacteria to decompose stubble and convert it into packaging material. This handmade packaging

now costs Rs. 5 per piece and 300 local mushroom farmers are now using this eco-friendly packaging. Many farmers have been able to sustain themselves amidst disruption in supply chain during pandemic through mitigating stubble burning as well as engaging themselves in this business.

SAMRIDH SCHEME FOR EARLY-STAGE START-UPS

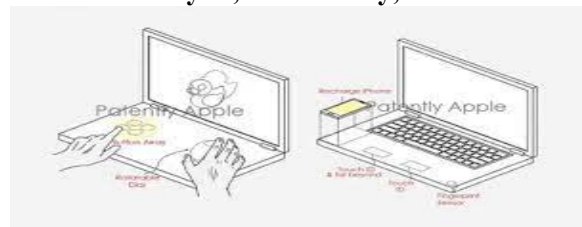
packaging360.in, Wednesday, 25.08.2021



The Ministry of Electronics and Information and Technology has launched the Start-up Accelerators MeitY for Product Innovation, Development and Growth (SAMRIDH). The main purpose and aim behind the launch of this scheme is to boost start-ups to secure investments for skill development, scaling their products and businesses. This scheme is being implemented by MeitY star-up Hub. The renewed interest of the India government towards efficient growth of the start-up sector is definitely a welcome step to ensure inclusive development. Mobilizing the innovation, technology and energy of youth that is the major chunk of our population will definitely help in realizing the vision of New India that seeks to provide better and dignified life for all.

MACBOOK PATENT WITH DUAL DISPLAYS

Ref: indiatoday.in, Wednesday, 25.08.2021



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The US Patent and Trademarks office has granted a patent to Apple where MacBook will have two displays, a virtual keyboard and ability to wirelessly charge an iPhone. As per this patent, the secondary display of MacBook will form the base. Apple has also designed an emoji panel, game controller, trackpad for this touchscreen model. Not only this, even biometric solutions have been embedded in this MacBook where advanced versions of Touch ID and Face ID have been placed in this device. Though there is a huge time lag when patent is granted and when technology is launched in the market for use, grant of patent does not necessarily mean this technology will be introduced. Many a time patents are filed but due to some anomalies in working final model, the product is not launched for use.

SWITZERLAND JOINS GENEVA ACT OF WIPO'S AGREEMENT

Ref: wipo.int, Tuesday,31.08.2021



Switzerland deposited its instrument of accession to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (“Geneva Act”). This Act which will enter into force on 01.12.2021 for Switzerland, will allow the country to protect both its appellations of origin and geographical indications such as its emblematic Swiss Watches, L’etivaz or Tete De Moine for Cheese, Viande Sechee Du Valais or St. Galler Bratwurst for meat products. Geneva Act basically provides producers of quality products linked to origin, with faster and cheaper access to the international protection of their products’ distinctive designations. Further, it also develops legal framework of Lisbon System which provides

protection for names that identify the geographic origins of products like coffee, tea, fruits, cheese, wine, pottery, glass and cloth helping in promoting them in the global market. The Geneva Act and Lisbon Agreement together constitute the Lisbon System.



W - 19, L.G.F, GREATER KAILASH II,

NEW DELHI – 110048

Telephone No:

Delhi - 011 - 49122916; 9910734340

Chandigarh - 0172-2544552

Email: info@knowledgentia.com

Website: www.knowledgentia.com

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Knowledgentia Consultants