

IMPARTING KNOWLEDGE ON LATEST CORPORATE LEGAL AND INTELLECTUAL
PROPERTY MATTERS

MENTORING AND HANDHOLDING
STARTUPS
Monday, 03.07.2023



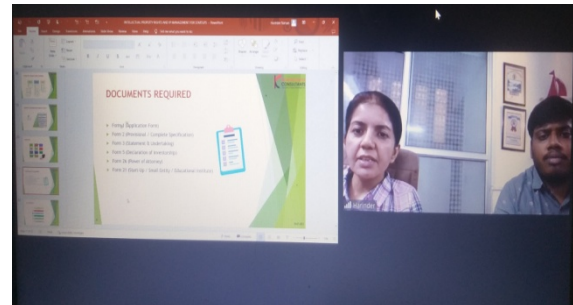
Knowledgentia Consultants Founding Partner Ms. Aparna Jain and Senior Associate Mr. Ishan Berry conducted a webinar on theme- How to plan for a start-up – legal and ethical steps on 3rd July 2023. The session was organized by MoE-IIC DDUC and witnessed participation from many budding young entrepreneurs. Knowledgentia as foremost start up facilitators in India are committed to hand hold and mentor start ups at all stages.

FINANCIAL AND LEGAL AWARENESS
FOR WOMEN
Friday, 07.07.2023



Founding Partners of Knowledgentia Consultants discussed various aspects relating to legal and financial literacy for women at a live session with Ms Rama Jain. Multidimensional roles that women are capable of performing help in connecting the dots between boosting of economy and financial literacy for women.

COLLABORATION WITH IIC DEEN
DAYAL UPADHYAYA COLLEGE
Monday, 10.07.2023



Founding Partner Ms. Harinder Narvan and Senior Patent Associate Mr. Pradeep Kumar Yadav conducted an insightful online session on the theme Intellectual Property Rights and IP Management for Start-ups on 10th July. The session revolved around specifics of patent filings for startups covering various government schemes. It ended with enthusiastic participation in Q/A session by faculty and students.

SARAH SILVERMAN SUES OPEN AI AND
META
Ref: [theguardian.com](https://www.theguardian.com), Monday, 10.07.2023



The US Comedian along with two authors has sued ChatGPT developer OpenAI and Mark Zuckerberg's Meta for copyright infringement over claims that their artificial intelligence models were trained on her work without permission. Tools like ChatGPT, a highly popular chatbot, are based on large language models that are fed vast amounts of data taken from the internet in order to train them to give convincing responses to text prompts from users. The lawsuit against OpenAI claims the three

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authors did not consent to the use of their copyrighted books as training material for ChatGPT. Nonetheless, their copyrighted materials were ingested and used to train ChatGPT. The lawsuit concerning Meta claims that many of the authors' copyrighted books appear in the dataset that the Facebook and Instagram owner used to train LLaMA, a group of Meta-owned AI models.

**ALTERNATE DISPUTE RESOLUTION
AMENDMENT REGULATIONS 2023**
Ref: livelaw.in, Saturday, 15.07.2023



The Securities and Exchange Board of India (SEBI) issued a notification in July, introducing amendments to the Alternative Dispute Resolution Mechanism Regulations. Many new amendments have been inserted for instance, mandatory submission of all claims, differences, or disputes between a merchant banker and its client, between registrar and share transfer agent and its client, between a debenture trustee and a body corporate that has appointed trustee, between asset management company and investors, between a custodian and its client, between a credit rating agency and its client, between a KYC Registration Agency and an intermediary, between investors and alternative investment fund or manager, between investors and a portfolio manager and between a vault manager and a beneficial owner to a dispute resolution mechanism including mediation, conciliation and arbitration.

PATENTS ACT V. COMPETITION ACT
Ref: seconline.com, Saturday, 15.07.2023



The Delhi High Court in a recent case titled *Telefonaktiebolaget LM Ericson v. Competition Commission of India, 2023 SCC OnLine Del 4078* has held that the legislative intent is apparent that the Patents Act is especially for the field pertaining to patents, unreasonable conditions in agreements of licensing, abuse of status as a patentee, inquiry in respect thereof and relief that is to be granted therefore are all to be governed by the Patents Act. However, the Competition Act is a general legislation pertaining to anti-competitive agreements and abuse of dominant position generally. The inclusion of Section 84(6)(iv) in the Patents Act by way of an amendment after the Competition Act was passed with Section 3(5)(i)(b) is particularly instructive of the above legislative intent as regards anti-competitive agreements. Thus, in reconciling the two statutes, the subject matter that is relevant for this assessment is anti-competitive agreements and abuse of dominant position by a patentee in exercise of their rights under the Patents Act. Thus, the Patents Act is the special statute, and not the Competition Act. The Patents Act must prevail over the Competition Act on the issue of exercise of rights by a patentee under the Patents Act. In this case, the Court quashed the proceedings initiated by the CCI and allowed the appeals and petition impugning the CCI order making it clear that it must not be understood as expressing any opinion on the merits of the

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claims of any of the parties as to whether Ericsson or Monsanto have, in fact, imposed anticompetitive conditions, or abused their dominant position.

WIPO REPORT ON SUSTAINABLE INNOVATION

Ref: [intellectual-propertyhelpdesk.ec.europa.eu](https://www.intellectual-propertyhelpdesk.ec.europa.eu), Tuesday, 18.07.2023



World Intellectual Property Organization (WIPO) has recently released a report titled “Intellectual Property Offices and Sustainable Innovation - Implementing the SDGs in National Intellectual Property Systems” to identify examples of good practices among IP offices in supporting the achievement of SDGs. Sustainable development is a significant focus globally and intellectual property (IP) offices have a particular role to play in supporting the achievement of the ‘core’ sustainable development goals (SDGs) relating to industry, innovation and infrastructure. This report has cited India’s example specifically with respect to filing fees discounted by 80% for female entrepreneurs as well as for small and medium-sized enterprises, as part of a national drive to encourage innovation. The Government Initiative, Startup India, aims to help Indian entrepreneur and Micro Units Development and Refinance Agency (MUDRA) ensures loans at low rates proving helpful in providing credit to MSMEs. As a result, the number of patents granted has been regularly increasing.

INDIA HANDS OVER INS KIRPAN TO VIETNAM

Ref: [livemint.com](https://www.livemint.com), Sunday, 23.07.2023



INS KIRPAN, a corvette in active use has been handed over by the Indian navy to Vietnam People’s navy. Steadily bolstering its defence partnership with Vietnam, in 2022 the Indian defence Minister even handed over 12 high speed patrol guard boats to the country. India has signed a mutual logistics support agreement with Vietnam helping the country build its defence technological capabilities along with sponsoring the establishment of an Army software Park with a \$5million grant.

NDMC APPROVES SOLAR POLICY FOR POWER GENERATION

Ref: [newindianexpress.com](https://www.newindianexpress.com), Thursday, 27.07.2023



In order to develop grid-connected solar plants for meeting its own electricity needs and transition to 100 percent green resources for power generation, the New Delhi Municipal Council has approved a new solar policy. The policy seeks to use the existing roof space of buildings and other open areas for solar systems to harness the potential for generating solar power. The feed-in tariff for the power generated from solar power plants will be decided by the Delhi Electricity Regulatory

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Commission. A net metering facility will be set up for the consumers of NDMC who intend to encourage solar energy and set up solar photovoltaic, or PV, plants. Individual households, offices, commercial establishments, institutions, residential complexes etc will be eligible for project capacity of minimum 1 KW or more.



MADRID SYSTEM IN ANTIGUA AND BARBUDA

Ref: wipo.int, Thursday, 27.07.2023



The Antigua and Barbuda Intellectual Property and Commerce office after granting protection can now provide national trademark registration certificate together with statement of grant of protection. An official statement of grant of protection, as issued by a country using the "WIPO model form template", is not always recognized by local authorities, who are more familiar with national certificates. The national registration certificate – issued in the local language and with the official stamping of the intellectual property office – will therefore help in enforcing rights during court proceedings or before customs authorities, and prove that concerned trademark has protection in the country concerned.

USING DIAMOND MICROPARTICLES TO CREATE ANTI COUNTERFEIT LABELS

Ref: sciencedaily.com, Friday, 28.07.2023

A team of researchers led by Dr Zhiqin Chu from the University of Hong Kong (HKU), together with Professor Lei Shao from Sun Yat-sen University, and Professor Qi Wang from Dongguan Institute of Opto-Electronics of Peking University have developed a pioneering technological solution – diamond-based anti-counterfeiting labels that are unique and known in the industry as PUFs -- Physically Unclonable Functions. These labels have been developed by planting tiny artificial diamonds -- known as diamond microparticles, on a silicon plate using a method called Chemical Vapour Deposition (CVD). The diamond microparticles, all different in shape and size, form a unique pattern when they scatter on the silicon substrate. Such pattern is impossible to replicate and therefore scatters light in a unique way. Put simply, it forms a unique "fingerprint" than can be scanned using a phone. The second level of uniqueness, and hence security, comes from the fact that these diamond microparticles have defects known as silicon-vacancy (SiV) centers. These diamond-based labels are highly suitable for the use in commercial products as they are extremely tough, cheap and enhance the value of the product. Diamond anti-counterfeiting will be favoured in various high-end products such as jewellery, luxury goods, electronic products, and automobiles.

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**DIVISION BENCH FOR DECIDING
ISSUES RELATING TO PLURALITY OF
INVENTIONS U/S 16 OF PATENTS ACT**

Ref: scconline.com, Sunday, 30.07.20232



The Delhi High Court in the recent case titled Syngenta Ltd. v. Controller of Patents and Designs, 2023 SCC OnLine Del 4366 has discussed two circumstances in which a Divisional Application could be filed, firstly, by the applicant of the parent application if he so desires, and secondly, where the applicant seeks to remedy an objection raised by the Controller on the ground that the claims of the complete specification relate to more than one invention. Court opined that, in Section 16(1) a comma after “if he so desires”, indicated that the applicant could file Divisional application on their own without requirement of plurality of inventions. However, no comma after “raised by controller” suggested that the requirement of plurality of inventions applied when controller raises objection. The application cannot be rejected solely on the ground that the plurality of inventions was not specifically contained in the claim, and only in the disclosure contained in the complete specifications.

The logo for KNOWLEDGENTIA CONSULTANTS features a stylized 'K' with a red arrow pointing upwards and to the right. To the right of the 'K', the text 'NOWLEDGENTIA' is written in red, and 'CONSULTANTS' is written in black. Below this, the text 'Corp Legal & Intellectual Property Rights Firm' is written in a smaller black font.

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