

IMPARTING KNOWLEDGE ON LATEST CORPORATE LEGAL AND INTELLECTUAL  
PROPERTY MATTERS

**ADDRESSING UNKNOWN LADY AS  
DARLING IS SEXUAL REMARK**

Ref: [livelaw.in](https://www.livelaw.in), Saturday, 02.03.2024

**Calling unknown woman  
'darling' is sexual  
harassment: Calcutta HC**



The Calcutta High Court in the case titled Janak Ram v State has held that referring to an unknown lady as ‘darling’ would be a criminal offence as stated under Section 354A and Section 509 of the Indian Penal Code, IPC. The court stated while addressing an unknown lady, whether a police constable or not, on the street by a man, drunken or not, with the word “darling” is patently offensive and the word used essentially a sexually coloured remark. Thus, using such expression to an unacquainted lady cannot but be an act intended to insult the modesty of the addressee. The court stated that as of now, the prevailing standards in our society are not such that a man on the street can gleefully be permitted to use such expression in respect of unsuspecting, unacquainted women. The court while considering the facts and circumstances of the case observed that since the appellant had stopped after making the remark, and did not aggravate the situation, thus, the sentence imposed by the trial court could be relooked. Accordingly, the court imposed the one-month sentence.

**CUTTACK RUPA TARAKASI, BANGLAR  
MUSLIN GET GI TAG**

Ref: [thehindu.com](https://www.thehindu.com), Sunday, 03.03.2024

**FAMOUS CUTTACK RUPA  
TARAKASI (SILVER FILIGREE)  
GETS GI TAG**



GI Registry in Chennai has recently granted GI Tag to the famous Cuttack Rupa Tarakasi; the application being jointly filed by Odisha State Co-operative Handicrafts Corporation Limited and facilitated by the Department of Textile and Handicrafts, Govt of Odisha. Filigree has been traditionally associated with fine craftsmanship and luxurious design in classical jewellery. Other products who have recently joined the GI league include Banglar Muslin, traditional handloom craft of Bengal, Narasapur crochet lace products and Kutch Rogan Craft. Majuli mask of Assam are made in different variety and sizes as they are mainly divided into different categories — ‘Mukha bhaona’ face mask covers the face, ‘Lotokoi’ hanging mask which is bigger in size extends to the chest and, ‘Cho Mukha’ huge mask is a head and body mask. And the Assam Majuli Manuscript Paintings illustrated numerous stories and chapters taken from the great Hindu epics Ramayana, Mahabharata and above all subjects from the Bhagavata Purana.

**AMAZON AND HUAWEI SIGN GLOBAL  
PATENT AGREEMENT**

Ref: [huawei.com](https://www.huawei.com), Tuesday, 05.03.2024



Amazon and Huawei have entered into a multi year patent cross license agreement that resolves pending litigation between them. The concept of patent licensing expands the number of companies that can use what otherwise would be proprietary technologies, which, in turn provides consumers with more innovative

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products and services. Companies like Amazon frequently use industry technical standards when inventing new products and services for customers.

**PUMA LOSES CASE AGAINST POP  
STAR RIHANNA**

**Ref: fashionunited.uk, Thursday, 07.03.2024**



The Sportswear company Puma has lost a patent case against sports shoe designed by Rihanna. Apparently Rihanna had showed off her cool new shoes in her instagram post in December 2014. At this point in time Rihanna had resumed the role of creative director for the brand as well. In 2016, Puma approached EUIPO to get legal protection for the design but in 2022, a dutch show company HJVH secured invalidation of the design based on the premise that design was already in public domain. EUIPO in its decision stated that Rihanna wore the same design 12 months before the registration was filed. The court highlighted that the images were proof enough that the design was made public. It said the disclosure could have become known to consumers and divulged by circles in the respective sector. The court added that Rihanna's post made it possible to identify, with the naked eye or enlarging those photos – all essential features of the prior design.

**CITIZENSHIP AMENDMENT ACT  
RULES NOTIFIED**

**Ref: thehindu.com, Monday,11.03.2024**



The Ministry of Home Affairs (MHA) on March 11 notified the Citizenship Amendment Rules, 2024 that would enable the implementation of the Citizenship Amendment Act (CAA) passed by the Parliament in 2019. Though the legislation facilitates citizenship to undocumented people belonging to Hindu, Sikh, Buddhist, Parsi, Christian and Jain community from Pakistan, Bangladesh and Afghanistan, the rules state that the applicants will have to provide six types of documents and specify “date of entry” in India. The list of permissible documents include birth certificate, tenancy records, identity papers, any licence, school or educational certificate issued by a government authority in Afghanistan, Pakistan and Bangladesh. The applicants will have to produce an “eligibility certificate” issued by a “locally reputed community institution” confirming that he/she belongs to “Hindu/ Sikh/ Buddhist/ Jain/ Parsi/ Christian community and continues to be a member of the above mentioned community.” The users will have to register on the portal. The plea for citizenship will be online and an empowered committee, through a district-level committee, will scrutinise all applications. Most parts of the northeast are exempted from the CAA. The tribal areas of Assam, Meghalaya, Mizoram or Tripura as included in the Sixth Schedule to the Constitution and States of Arunachal Pradesh, Mizoram, Nagaland and Manipur are exempted from provisions of the CAA.

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**OBSCENITY CASE AGAINST THE  
VIRAL FEVER QUASHED**

Ref: [barandbench.com](http://barandbench.com), Tuesday, 19.03.2024



The Apex Court in the case titled TVF Media Labs Pvt Ltd and Ors v. State Govt of NCT Delhi and anr. has set aside an order of the Delhi High Court to file FIR against the makers, actors of the web series The Viral Fever for use of expletives. As per the court there had been no violation of Sections 67 and 67 A of the IT Act. The Supreme Court's decision signifies a nuanced understanding of the complexities surrounding content regulation in India. The bench emphasized the need to assess content within the framework of contemporary standards of civility and morality, while also recognizing the importance of upholding freedom of expression and creativity in the digital sphere.

**PATENTS (SECOND AMENDMENT)  
RULES, 2024 INTRODUCED**

Ref: [sconline.com](http://sconline.com), Wednesday, 20.03.2024



The Ministry of Commerce and Industry has recently notified the Patents (Second Amendment) Rules, 2024 to amend the Patent Rules, 2003. These provisions came into force on 16.03.2024. An entire new Chapter relating to Adjudication of Penalties and Appeals has been inserted under which any person can file a complaint to the adjudicating officer through electronic means in case of unauthorized claim

on patent rights, refusal or failure to supply information and practice by non-registered patent agents. Adjudicating Officer will thereafter issue a show cause notice within a 7 days time period and upon satisfaction that contravention has been committed, penalties will be imposed. Adjudicating officer is bound to give reasons for imposing penalty and complete the proceedings within 3 months time period from the date of issuance of notice. Any person aggrieved from the order of AO can file an appeal to the appellate authority within 60 days from the date of the order via electronic means. Form 31 and Form 32 have been introduced and inserted in this regard.

**TRADEMARK INFRINGEMENT SUIT BY  
“WOW!MOMO”**

Ref: [livelaw.in](http://livelaw.in), Tuesday, 26.03.2024



In a recent case titled Wow Momo Foods (P) Ltd. v. Wow Punjabi, 2024 SCC OnLine Del 2146, a legal battle ensued over trademark infringement, where the Delhi High Court has issued a restraining order against a food outlet operating under the name ‘WOW PUNJABI.’ The renowned eatery WOW! MOMO took legal action against the outlet, citing infringement of its trademark. The court emphasised the potential irreparable harm WOW! MOMO could face if the relief was not granted promptly. The court’s directive explicitly prohibits the defendant, along with any affiliates, from using, advertising, or dealing with any goods or services under trademarks such as ‘WOW,’ ‘WOW PUNJABI,’ or any other mark identical or deceptively similar to WOW! MOMO’s registered trademarks. This ruling serves as a reminder to businesses to respect and uphold trademark dispute and laws, emphasising the consequences of unauthorised use of established brands.

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**IIT GUWAHATI COMPLETES  
TECHNOLOGY TRANSFER FOR SWINE  
FEVER VACCINE**

Ref:- [livemint.com](http://livemint.com), Tuesday, 26.03.2024



IIT Guwahati has successfully transferred a pioneering vaccine technology to a manufacturing company specializing in high quality vaccines in order to fight swine fever in pigs and wild boars. It is a collaborative effort between researchers from Department of Biosciences and Bioengineering at IIT Guwahati and Assam Agricultural University in Guwahati. It is the first recombinant virus based solution for swine fever developed in India offering a swift and cost effective method for pig vaccination. It harnesses a reverse genetic platform and has been transferred to BioMed Pvt Ltd for commercial production of vaccine. Reverse genetics stands as a potent method and tool for development of vaccines targeting both animal and food diseases. Newcastle disease virus has been utilized as a carrier for essential proteins of the classical swine fever virus

**GWYNETH PALTROW'S GOOP FACES  
"REVERSE CONFUSION" SUIT**

Ref: [Bloomberg.com](http://Bloomberg.com), Saturday, 30.03.2024



Wellness company Goop has been sued for trademark infringement, unfair competition and false advertising by Good Clean Love. Goop

applied for registration for registration of mark Good.Clean.Goop in 2023 under class covering skincare, nutritional supplements and body care products. Sexual wellness products too were intended to be covered under this registration. This confusion and reverse confusion created by Goop's use of GOOD.CLEAN.GOOP. threatens to foreclose Good Clean Love from expanding into product lines related to its sexual health and wellness products. Both the companies sell their products through Amazon which has led to direct collision among products of both the brands. This association is proving to be harmful for Good Clean Love as Goop has many times in the past being associated unfounded health claims about its products. Good Clean Love on the other hand has build its reputation and brand on safe, organic, scientific and exhaustively researched sexual wellness products.



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