

# KNOWLEDGEATE® -AUGUST 2024

IMPARTING KNOWLEDGE ON LATEST CORPORATE LEGAL AND INTELLECTUAL PROPERTY MATTERS

## GOOGLE FOR 'ABUSIVE' BEHAVIOUR

Ref: Business Standard, Tuesday, 06.08.2024



The Alliance of Digital India Foundation (ADiF), an industry body for the start-up ecosystem and app developers. The foundation has filed complaint with the Competition Commission of India (CCI) against technology major Google for alleged anti-competitive practices in online advertising. The complaint outlined Google's dominant position and alleged abusive behaviour in both the online search and online display advertisement. The allegations are that the google giant misuses its position adversely and lacks transparency and fairness.

## ELON VS CHATGPT

Ref: Hindustan Times, Tuesday, 06.08.2024



Elon Musk has revived a lawsuit against ChatGPT and its CEO saying that the model and licenses being used by Open AI issued by Microsoft are null and void. Open AI has a collaboration and licensing partnership with Microsoft which permits its use for various computing services. The premise to challenge is that they had stated that the use of Open AI would benefit humanity which allegedly is not being done. It is an interesting legal adjudication if it happens as the locus standi, bonafide and maintainability of such actions needs to be considered at the prima facie stage by a court.

## BOROLINE VS BOROBEAUTY

Ref: DELHI HIGH COURT ORDER, WEDNESDAY, 07.08.2024 **G.D. PHARMACEUTICALS PRIVATE LIMITED Vs M/S CENTO PRODUCTS (INDIA) – CS(COMM) 53/2019 & I.A. 2215/2021**



Recently, the Hon'ble Delhi High Court reaffirmed the well known trademark status for "BOROLINE". The Plaintiff owner of the trademark filed an infringement suit against BOROBEAUTY being deceptively similar to the registered mark which has been in use since 1929. Further, the defendant has been alleged to have a similar trade dress of dark green coloured tube and thus the court granted permanent injunction as well as damages to the tune of Rs. 2,00,000/-. The Plaintiff mark has prior registration since 1949 and not only in India but also in foreign jurisdictions. Thus, the Hon'ble High Court directed that the mark Boroline should be added in the well known trademark list because of its expansive uninterrupted and continuous use.

## MCA BEGINS 'INTERNSHIP' TALKS WITH TOP

FIRMS Ref: Business Standard, Wednesday, 07.08.2024



The Ministry of Corporate Affairs (MCA) has commenced consultations with industry on an internship programme as part of corporate social responsibility (CSR) initiatives, following the Union Budget 2024-25 announcements. With this collaborative effort the youth would have considerable opportunities for internship as well as industrial skill training which in turn would facilitate to bridge the employability factor for the students. In drafting the final scheme, the MCA plans to implement checks and balances to ensure transparency. Globally, most nations adopt voluntary approach to CSR spending, although countries like Norway and Sweden, which currently have voluntary CSR policies, initially began with mandatory provisions. Data from the MCA shows an increase in CSR expenditure, from 26,579.78 crore in 2022-23. The number of projects rose to 51,966 in 2022-23 up from 44,425 in the previous year. Non PSU (public sector undertaking) companies account for 84 per cent of the total CSR spending in the country.

## BHARTIYA VAYUYAN VIDHEYAK BILL 2024 REPLACES AIRCRAFT ACT

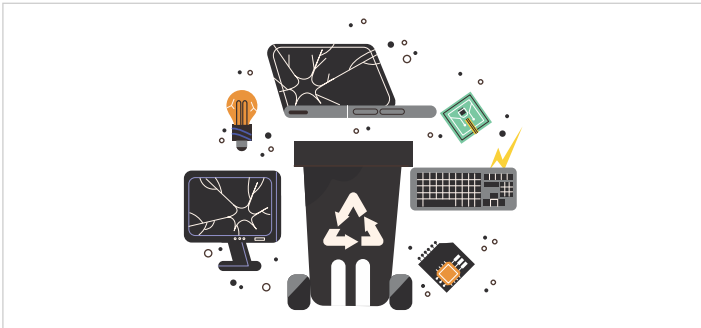
Ref: Business Standard, Saturday, 10.08.2024



The Lok Sabha vide its recent bill replaced a 90 year old Aircraft Act. The same has been done to improve the ease of doing business in the aviation space. The Bhartiya Vayuyan Vidheyak Bill 2024 seeks to resolve existing anomalies between various aviation laws and ensure a coherent regulatory environment with well-defined chapters and clauses.

## E-WASTE RULES NOT TO BE BREACHED

Ref: Hindustan Times, Thursday, 15.08.2024



*E-Waste (Management) Amendment Rules, 2024 notified; includes provisions for relaxing the period for filing Annual and Quarterly returns*

The Central Pollution Control Board (CPCB) has commenced audit on a range of companies to ensure that the standard operating procedures and recycling of electronic waste is being done as per law. The defaulter companies shall be liable to pay penalty which will be further used to finance environment protection efforts, the officials cited above said on the condition of anonymity. The E-waste (Management) Rules, 2024 issued in March empower the CPCB to monitor and fine violators.

## J. HEMA SEXUAL ABUSE REPORT

Ref: Business Standard, Saturday, 24.08.2024



## JUSTICE HEMA COMMITTEE REPORT

The Committee report heading by Justice K Hema on harassment and abuse in Malayalam cinema industry intensified recently as more female actors stepped forward with disturbing accounts of mistreatment at the hands of their male counterparts. The same has tarnished the enforcement and implementation of sexual abuse laws and some more actors have been accused for such heinous crime. Rejecting the allegations, an office bearer in the Association of Malayalam Movie Artists (AMMA), suspected that vested interest in the film industry were behind it. Instead of adjudicating the same this issue has taken a political overturn in Kerala.

## BURGER KING USA V/S BURGER KING PUNE

Ref: 26.08.2024 Mumbai High Court and  
16.07.2024, Pune Court



In a very interesting and long drawn litigation initiated by MNC Burger King and Burger King as indigenous brand of a family chain in Pune, the lower court dismissed the suit filed by Burger King, USA in July, 2024. The cross suit and counter claim filed by the Defendant was also dismissed. The matter was assailed before Hon'ble High Court of Mumbai and at ad-interim stage the court has restrained the Defendant from use of the brand Burger King till 06.09.2024 only.

## 'RCAP TO BE REBRANDED UNDER INDUSLAND'

Ref: Hindustan Times, Tuesday, 27.08.2024



The Hinduja company Indusland International Holdings Ltd. (IIHL) clarified before the Mumbai bench of the National Company Law Tribunal (NCLT) that following the takeover of the insolvent Reliance Capital (Rcap), the company will be rebranded under the 'IndusInd' name. It confirmed that the Hinduja will not carry on business under the brand "Reliance" This came upon a plea filed by ADAVL's (Anil Dhirubhai Ambani Ventures Ltd.) to restrain Hinduja from using the brand name under the license agreement of 2014.

## MISLEADING ADS: SC STAYS AYUSH NOTIFICATION

Ref: Business Standard, Tuesday, 27.08.2024



Hon'ble Supreme Court recently stayed the July 1, 2024 notification issued by the Ayush ministry that had scrapped a rule prohibiting misleading advertisements of Ayurvedic, Siddha, and Unani drugs. It has Directed the ministry to file a response in this regard and in the interim restrained the effect of the said notification.

## BHARAT BIOTECH LAUNCHES ORAL CHOLERA

VACCINE Ref: Business Standard, Tuesday, 27.08.2024



Bharat Biotech International (BBIL) has launched a new oral cholera vaccine (OCV), aiming to offer a solution to the global shortage OCVs amid rising cases of the disease the world over. The vaccine, HILLVHOLE, is developed in partnership with Hilleman Laboratories, a Singapore based organisation. The vaccine is a success story of partnership leading to public health solutions.

## CROMPTON GREAVES PATENT FOR AERODYNAMIC PROFILE

Ref: <https://upstox.com>, Wednesday, 28.08.2024

Consumer electrical goods leader Crompton Greaves has recently been granted patent registration for its aerodynamic profile in electronic goods. The Patent has been granted under the title "Aerodynamic Profile" and it has already enhanced the stock value and innovative creditability of the Company.


— OBSERVANT • VIGILANT —      — REFLECT. CONSIDER. INVENT. —

**W - 19, L.G.F, GREATER KAILASH II,  
NEW DELHI – 110048**

**Telephone No:**  
**Delhi - 011 - 49122916; 9910734340;  
9810296002**

**Chandigarh - 0172-2544552**

**Email: [info@knowledgentia.com](mailto:info@knowledgentia.com)**

**Website: [www.knowledgentia.com](http://www.knowledgentia.com)**

**©All rights reserved.**

**Knowledgentia Consultants®**