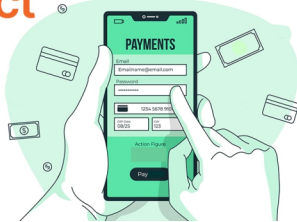


KNOWLEDGEATE® - JANUARY 2025

IMPARTING KNOWLEDGE ON LATEST CORPORATE LEGAL AND INTELLECTUAL PROPERTY MATTERS

BHARAT CONNECT SIMPLIFY AUTOMATE PAYMENTS

Ref: 03.01.2025, Friday, Business Standard



Bharat Connect a subsidiary of NPCI is taking significant steps to promote digital payments on a larger scale, making transactions more seamless and transparent for businesses. This will help the government track payments efficiently and reduce financial irregularities. Currently, it is running pilot projects before its official launch. The platform will enable banks, ERP providers, and B2B fintech firms to connect with Bharat BillPay for Business (BBPS) to improve B2B transactions. Unlike UPI, which allows instant payments via virtual addresses, B2B payments require additional features such as invoice management, automated reminders, purchase order creation, and dispute resolution. In FY24, transactions on Bharat Connect grew by 25.74% to 1.38 billion. However, with the rise in digital transactions, the risk of online fraud also increases. Therefore, ensuring cybersecurity and spreading awareness about fraud prevention should be the top priority alongside digital expansion.

STRICTER MEASURES TO CURB FAKE MEDICINES

Ref: 03.01.2025, Friday, Hindustan Times



Central Drugs Standard Control Organization (CDSCO) is tightening regulations to combat the growing issue of fake and substandard medicines in India. This year, the focus will be on stricter inspections, increased monitoring, and better enforcement. Authorities will implement risk-based inspections, enhance drug sampling, and direct all states and union territories to share data on spurious drugs. The government has a zero-tolerance policy for counterfeit medicines, an official stated. From January, small and medium-sized drug manufacturers with a turnover below ₹250 crore must comply with updated Good Manufacturing Practices (GMP) under Schedule M. Fake medicine is one of humanity's biggest enemies because when people take medication, they trust it will help them recover. If the medicine is counterfeit, it not only fails to cure but also puts the patient's life at serious risk. Strict enforcement and advanced tracking measures are essential to eliminate

this danger. The government has mandated barcodes or QR codes on the top 300 drug brands for better tracking.

LEGAL BATTLES VISA VIS SMALL COMPENSATION

Ref: 06.01.2025, Monday, Business Standard



The saying "justice delayed is justice denied" perfectly fits this case. In a recent case a consumer purchased a car in the year 2005 which had major issues including engine got ceased. The complainant had approached all forums and after 20 years, the National Commission noted that while there was no expert proof of a manufacturing defect, the car's repeated breakdowns pointed to poor service. Given that the vehicle had remained unused for 20 years due to the legal dispute, replacing parts was not practical. On December 2, 2024, the Commission ruled that Singh should receive ₹5 lakh in compensation, and the car be handed over to him as scrap. It took 20 years to settle a single consumer dispute, and in the end, the compensation awarded was far less than the actual cost of the car. Such delays defeat the purpose of consumer protection laws and leave the affected party without real justice.

DRUG REGULATOR'S EFFORTS UNDER REVIEW FOR FAKE MEDICINES

Ref: 07.01.2025, Tuesday, Hindustan Times



A parliamentary panel will assess how well the Central Drugs Standard Control Organization (CDSCO) is tackling the problem of fake and substandard medicines in India. This review follows rising complaints about counterfeit drugs in the market. Officials from the Ministry of Health, the Department of Pharmaceuticals, and CDSCO will present their findings to the panel, which will then suggest improvements. The government has a strict policy against fake medicines and is working closely with state authorities to stop their sale. Recently, CDSCO and the West Bengal government seized a large stock of suspected fake medicines, including anti-cancer and anti-diabetic drugs. The formation of this parliamentary panel was necessary, and it's good to see the government taking action against fake medicines. This step will help safeguard public health, as counterfeit drugs are a major threat to society. However, for real impact, the investigation and enforcement must be conducted on a fast track, ensuring swift action against those responsible. Delays in such critical matters can cost lives

RAPIDO TM REMOVED

Ref: ROPPEN TRANSPORTATION SERVICES PRIVATE LIMITED VS MR. NIPUN GUPTA & ANR. [C.O. (COMM.IPDTM)-138/2024]



In a significant ruling, the Delhi High Court has ordered the removal of trademark registrations for 'RAPIDO' held by Mr. Nipun Gupta & Anr. in multiple classes. The decision came in response to petitions filed by Roppen Transportation Services Private Limited, presided over by Justice Amit Bansal. The court found that the respondent's use of the 'RAPIDO' mark in classes 39, 12, 25, and 42 was identical to Roppen's prior registered and well-known 'RAPIDO' trademarks. The adoption was deemed dishonest, as it sought to capitalize on Roppen's goodwill and reputation, violating Section 11 of the Trade Marks Act. The court also applied the Triple Identity Test, concluding that consumer confusion was likely. Consequently, the respondent's trademark registrations were removed from the Register of Trade Marks, reinforcing the protection of established brand identity in trademark disputes. This decision strengthens legal safeguards against dishonest trademark adoption, ensuring that well-established brands retain their exclusive rights. The ruling also serves as a warning against attempts to exploit the goodwill of recognized brands, reinforcing fair competition in the market.

HULU+ LIVE TV MERGES WITH FUBO

Ref: 07.01.2025, Tuesday, Hindustan Times



Disney announced a merger between its Hulu+ Live TV service and Fubo TV, creating the second-largest online pay-TV provider in North America after YouTube TV. The combined business will generate around \$6 billion in revenue and have 602 million subscribers. If you can't win against someone, join them—Disney pulled off this classic trick to silence Fubo TV over the Venu dispute. By merging, Disney not only ended the legal battle but also triggered a 141% surge in Fubo's stock, which had previously dropped 60%. This means Disney will indirectly recover much of what it spent on the deal, making it a brilliant strategic move to eliminate

competition and secure future profits. The agreement includes a \$130 million termination fee if either side backs out.

INTAS PHARMA EXPANDS OVERSEAS

Ref: 08.01.2025, Wednesday, Hindustan Times



Intas Pharma, a major player in the Indian pharmaceutical industry, is now expanding globally with its acquisition of Udenyca. This strategic move strengthens its presence in the biosimilar market, bringing a crucial bone marrow stimulant to its portfolio. By securing Udenyca, Intas is not only boosting its international footprint but also contributing to advanced cancer care solutions worldwide. Intas, the flagship company of the Chudgar Group, began four decades ago with a small unit focused on neurology and psychiatry. Today, it is a major player in the Indian pharmaceutical industry.

USING AI AGENTS

Ref: 08.01.2025, Wednesday, Hindustan Times



AI agents are changing the way businesses operate by taking automation beyond simple chatbots. These smart tools can handle complex tasks like checking car rental bookings, screening sales leads, and managing IT operations without human intervention. Research firm Gartner predicts that by 2028, AI agents will make 15% of daily business decisions, but they could also be responsible for 25% of cybersecurity breaches. Businesses are leveraging AI to cut costs by reducing manpower, as AI can often perform tasks more efficiently. In the future, those who master AI will have a clear advantage, while others may struggle to keep up. However, as AI handles sensitive data, cybersecurity risks also rise, meaning we cannot blindly trust AI without strong safeguards.

CONTEMPT OF INJUNCTION ORDER

Ref: ITC Limited vs. Raj Kumar Mittal & Ors.
[CS(COMM)-647/2019]



ITC Limited had initiated legal action to safeguard its interests, and the judgment reinforces the importance of adherence to legal injunctions in business-related litigations. In a notable legal development, the Delhi High Court has found Mr. Prem Chand Mittal and Mr. Raj Kumar Mittal guilty of civil contempt for willfully defying an ad interim injunction order in the case. Justice Amit Bansal observed that the defendants deliberately obstructed the execution of the injunction order by interfering with the Local Commissioner's proceedings. Despite expressing remorse and offering apologies, the court held them accountable for their actions. Mr. Prem Chand Mittal was fined INR 500,000, while Mr. Raj Kumar Mittal was penalized INR 300,000. However, the court refrained from imposing civil imprisonment. The ruling highlights the judiciary's firm stance on ensuring compliance with court orders, particularly in commercial disputes. While the fines serve as a deterrent, the avoidance of civil imprisonment suggests a degree of leniency.

REVOCATION PETITION MAINTAINABLE IN PATENT DISPUTE

Ref: Macleods Pharmaceuticals Ltd. vs. The Controller of Patents & Anr. [C.O.(COMM.IPD-PAT)-38/2022]



In a significant ruling, the Delhi High Court, has reaffirmed that a revocation petition under Section 64 of the Patents Act remains maintainable, even if patent invalidity is raised as a defense under Section 107 in an infringement suit. The case, involved a legal challenge regarding the scope of revocation proceedings. The court clarified that a revocation petition serves a different purpose from a mere defense in an infringement case, as it seeks to remove the patent from the register entirely. In contrast, using invalidity as a defense only suggests that the patent is subject to revocation, without directly affecting its legal standing. Additionally, the court ruled that the expiration of the patent does not render the revocation petition irrelevant, as the cause of action

for damages in the infringement suit remains valid. Consequently, the applications seeking dismissal of the revocation petition were rejected. This ruling strengthens the legal framework for patent disputes in India by reaffirming that revocation petitions remain valid even after a patent's expiration. It ensures that companies cannot evade scrutiny simply because their patent term has ended, especially when financial claims are involved.

EZIO NOT SIMILAR TO MAHINDRA ZEO

Ref: Gensol Electric Vehicles Pvt. Ltd. vs. Mahindra Last Mile Mobility Limited [CS(COMM)-849/2024],



Delhi High Court dismissed the plaintiff's request for an interim injunction against Mahindra Last Mile Mobility Limited. It was ruled that Mahindra's use of the mark 'MAHINDRA ZEO' was unlikely to cause confusion with Gensol's registered trademark 'EZIO'. The court observed that Gensol had yet to launch its product and had not established market goodwill, whereas Mahindra is a well-recognized name in the electric vehicle industry. The court further noted that consumers in the automobile sector exercise a high degree of care when making purchases. This ruling highlights the importance of brand recognition and market presence in trademark disputes. It reinforces that established companies with distinct branding are less likely to be restrained from using their trademarks, especially when consumer confusion is unlikely. The case also serves as a reminder for emerging businesses to establish market goodwill before seeking legal protection against larger competitors.



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

Website: www.knowledgentia.com

©All rights reserved.

Knowledgentia Consultants®