

# KNOWLEDGEATE® - FEBRUARY 2025

IMPARTING KNOWLEDGE ON LATEST CORPORATE LEGAL AND INTELLECTUAL PROPERTY MATTERS

## LODHA TM AND SUCCESSION DISPUTE UNDER MEDIATION

Ref: 01.02.2025, Saturday, Hindustan Times



The Bombay High Court's decision to refer the Lodha trademark dispute to mediation highlights the importance of resolving business conflicts through dialogue rather than prolonged litigation. Mediation can preserve family relationships while ensuring fair outcomes, especially in complex legacy disputes. Former Supreme Court judge R.V. Raveendran will oversee the process, with a resolution expected within five weeks. Justice Arif Doctor highlighted the need for mediation instead of prolonged litigation, given the familial nature of the conflict. The dispute dates back to 2015 when the Lodha brothers parted ways. Abhinandan launched The House of Abhinandan Lodha (HoAB), while Abhishek continued leading Macrotech Developers. A family settlement in 2017 granted Abhishek control over the real estate business and all related intellectual property, including trademarks. A non-compete clause barred Abhinandan from real estate activities in the Mumbai Metropolitan Area for five years and in Greater London for specific periods. In December 2023, an agreement reaffirmed restrictions on using names similar to "Lodha." Macrotech later accused Abhinandan's company of infringing on its "Lodha" trademark and, in September, demanded that he stop using the "Lodha" and "Lodha Group" names, issuing disclaimers to clarify no affiliation with Macrotech.

## START UP BENEFIT DEADLINE EXTENDED 2030

Ref: 03.02.2025, Monday, Business Standard



Recently, the government has extended the deadline for startup incorporation by five years, allowing eligible startups to register until April 1, 2030, and avail tax benefits. This move, announced by Finance Minister has been welcomed by the startup community. Startups recognized by the

Department for Promotion of Industry and Internal Trade (DPIIT) can now claim 100% tax exemption on profits for three out of ten years under Section 80-IAC of the Income Tax Act. Experts believe this will boost investments from venture capital and angel investors. Industry leaders see this as a major relief, providing financial stability and a longer runway for startups to grow. The Budget also announced a ₹10,000 crore Fund of Funds to support early-stage ventures. The extension of the startup incorporation deadline and tax benefits is a significant boost for India's entrepreneurial ecosystem. By providing financial relief and investment incentives, the government is fostering innovation, job creation, and long-term business sustainability. These measures will strengthen India's position as a global startup hub, attracting both talent and capital.

## BUDGET ATTRACTS FOREIGN PROFESSIONALS

Ref: 04.02.2025, Tuesday, Hindustan Times



The government is working on India's own AI framework with experts in large and small language models. In Financial Budget 2025, a new tax rule was introduced to attract skilled foreign professionals. With effect from April 1, 2025 non-Indian residents working for electronics manufacturing companies in India will be taxed on only 25% of their earnings. Experts say this will reduce their effective tax rate to below 10%, making India a more attractive destination for global talent. Reducing the tax burden for skilled experts in electronics manufacturing enhances India's competitiveness, fostering innovation and economic expansion.

## SECURING PROPERTY OWNERSHIP

Ref: 04.02.2025, Tuesday, Hindustan Times



Its imperative to protect your ownership and interest in intangible as well as immovable properties. In case of joint properties for purposes of capital gains or any other reason, it is of paramount importance that Clear legal documentation is done to prevent future disputes among family members. Even if verbal agreements exist, unregistered transactions can lead to complications under inheritance laws. To secure rightful ownership and avoid conflicts, formalizing property transfers through registered gift deeds or wills is crucial. Seeking legal advice ensures a smooth and legally sound process

## RELIGARE PLEA REJECTED

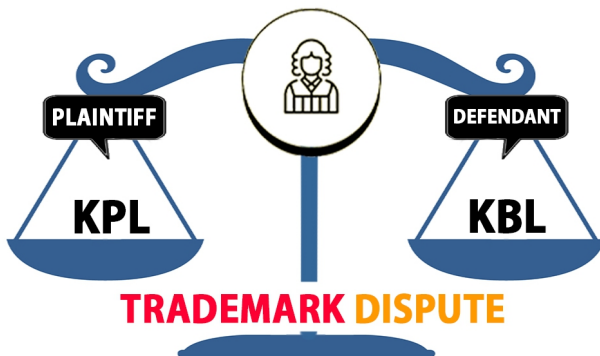
Ref: 04.02.2025, Tuesday, Hindustan Times



The Delhi High Court has denied relief to Rashmi Saluja, executive chairperson of Religare Enterprises (REL), in her challenge against a resolution to replace her as a director at their upcoming Annual General Meeting. However, the court ruled that board and AGM minutes clearly stated retirement by rotation, making her claim invalid. Justice Kaurav emphasized that corporate democracy allows shareholders to decide company affairs. The decision clears the way for the AGM and voting on her replacement. The Delhi High Court's decision reinforces the principle of corporate democracy, ensuring that shareholders have the right to make key governance decisions. It highlights that no executive, regardless of tenure, is beyond accountability.

## KIRLOSKAR PROPRIETARY TO JOIN AS PLAINTIFF

Ref: 07.02.2025, Friday, Hindustan Times



The Calcutta High Court's recent decision to allow Kirloskar Proprietary Ltd (KPL) to be transposed as a plaintiff highlights the importance of unified trademark protection. The case was originally filed by Kirloskar Brothers Ltd (KBL) to protect four registered trademarks. KBL has challenged this ruling before the Supreme Court, arguing that KPL, the registered proprietor of the trademarks, failed to act against infringements, forcing KBL, as a registered user, to file the suit. KBL also claimed that transposing KPL as a plaintiff had no legal basis. KPL countered that the case could misrepresent KBL's rights and denied claims of inaction. The court stated that transposing KPL would not affect the nature of the case, as both companies seek the same outcome—stopping third-party infringements. Intellectual property must be safeguarded through collective action, ensuring that rightful owners actively defend their brands. This ruling reinforces the need for clear legal strategies in trademark disputes to prevent misuse.

## BATTLE FOR CREDIBILITY

Ref: 10.02.2025, Monday, Hindustan Times



In an era of misinformation, credibility is more important than ever. With traditional institutions losing trust, brands have a unique opportunity to stand for truth and transparency. By prioritizing honesty over sensationalism, they can help combat disinformation and rebuild public confidence. In a world filled with noise, those who uphold integrity will lead the way. With an overwhelming influx of information and the reinforcement of personal biases, traditional pillars of trust have weakened. This raises a critical question: How do we discern the truth? Amid this challenge, brands have a unique opportunity to position themselves as trustworthy sources. With widespread recognition and audience engagement, brands can bridge the credibility gap left by declining institutions. Historically, businesses prioritized revenue while maintaining trust as a fundamental principle. However, in today's post-truth landscape, companies must go beyond profit-making and emerge as genuine, transparent voices. The digital revolution has disrupted traditional marketing strategies, but it has also given brands a platform to stand for integrity and factual communication.

## MEDICAL DEVICE SAFETY WITHIN PURVIEW OF HEALTH MINISTRY

Ref: 10.02.2025, Monday, Hindustan Times



The Health Ministry's decision to set up an expert panel for medical device safety is a crucial step toward protecting patients. Strengthening regulations and ensuring regular checks will improve healthcare quality and patient safety. Medical devices, including implants, surgical tools, and diagnostic equipment like X-ray machines, play a crucial role in healthcare but can also pose risks. The India Pharmacopoeia Commission (IPC) oversees the programs which investigates reported issues and provides safety recommendations to regulatory bodies. With India relying heavily on imported devices being more than 80%, proper monitoring will help prevent misdiagnosis and health risks.



## DPIIT PARTNERS WITH MFG INCUBATIONS

Ref: 15.02.2025, Saturday, Business Standard



The Department of Promotion of Industry and Internal Trade (DPIIT) is set to sign Memorandum of Understanding with corporates to establish manufacturing incubation centres, aiming to strengthen India's startup ecosystem. These incubation centres will provide financial and non-financial support, including mentorship, business order assistance, and funding, to early-stage manufacturing startups. DPIIT has approached over 100 corporates, industry associations, and unicorns, encouraging collaboration to leverage innovation. The initiative, first proposed at the "Startup Maha Kumbh" festival, is designed to bridge the gap between startups and large enterprises by offering access to prototyping, test beds, design centres, and risk capital. By connecting startups with corporates, this initiative will provide crucial support, funding, and mentorship, helping new businesses scale faster. It will drive innovation, create jobs and strengthen India's position as a global manufacturing hub

## UNILATERAL CANCELLATION OF FLAT SALE ILLEGAL

Ref: 17.02.2025, Monday, Business Standard

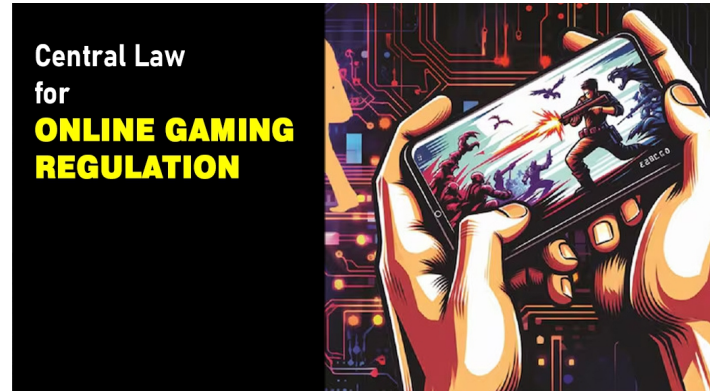


Recently, the Maharashtra State Consumer Disputes Redressal Commission has ruled that the unilateral cancellation of a registered sale agreement and subsequent sale of a flat to a third party was illegal. Mr. C had booked a flat with S Builders in 2007 after payment. Despite assurances of possession within 18 months, the builder failed to deliver the flat and instead demanded the remaining balance. The builder sold the flat to another buyer in 2011 after giving notice to the original buyer which was assailed in the consumer court. The Commission ruled that the agreement was still valid as its termination was not executed through a registered document. Declaring the third-party sale illegal, it ordered the builder to hand over possession of the flat, pay 9% interest, ₹5 lakh in compensation, and ₹50,000 in litigation costs. The National

Consumer Commission upheld the ruling, reinforcing the rights of homebuyers. It reinforces that builders cannot unilaterally cancel agreements and resell properties without due process. This decision sets an important precedent, ensuring that consumers are protected from unfair practices in the real estate sector.

## CENTRALIZED LAW FOR GAMING

Ref: 20.02.2025, Thursday, Hindustan Times



The Indian government's move to introduce a centralized law for online gaming is a much-needed step toward regulatory clarity and investor confidence. Online gaming companies generated \$2.4 billion in revenue in FY24, according to a report by Google and Lumikai. The top three companies—Sporta Technologies (Dream11), Gameskraft Technologies, and Play Games24X7—contributed \$1.7 billion, as per corporate affairs ministry data. A clear legal framework will help curb uncertainties, attract foreign investments, and foster the growth of domestic gaming giants. Ensuring fair play, responsible gaming and consumer protection will be key to balancing industry expansion with ethical concerns. Earlier in January 2023, MeitY proposed a self-regulatory body (SRB) model to certify real-money games, aiming to simplify taxation and ban unapproved apps. However, officials were skeptical about the neutrality of these bodies, preventing the model from gaining traction.

## BCI CRACKS ON SOCIAL MEDIA BAN

Ref: 20.03.2025, Thursday, The Times of India



The Bar Council of India (BCI) has enforced strict restrictions on lawyers and law firms using social media, celebrity endorsements, and digital promotions for advertising. This decision reinforces the integrity of the legal profession, ensuring it remains service-oriented rather than profit-

driven. However, a balanced approach is needed so that genuine legal awareness and outreach efforts are not unduly restricted. Ethical advertising guidelines could help bridge this gap without compromising professional standards. This decision follows a controversy where law firm DSK Legal featured Bollywood actor Rahul Bose in an Instagram reel. The BCI condemned such practices, citing a violation of Rule 36 of the BCI Rules, which prohibits advocates from soliciting clients through advertisements, circulars, or online promotions. The new regulations ban the use of celebrities, influencers, and public figures in legal promotions. Lawyers are also barred from running digital ads, including banners, sponsored content, and paid promotions on platforms like Instagram, Facebook, and YouTube. Additionally, the BCI has warned against unauthorized legal advice from non-registered individuals, emphasizing strict legal action for violations. To enhance enforcement, social media platforms have been urged to monitor and filter non-compliant content. Reaffirming that law is a noble profession built on ethics and public trust, the BCI warned that violations could lead to severe penalties, including suspension, revocation of licenses, contempt proceedings, and action against non-compliant digital platforms. This move aims to maintain the integrity of the legal profession and prevent its commercialization.



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