

KNOWLEDGEATE®-MARCH 2025

IMPARTING KNOWLEDGE ON LATEST CORPORATE LEGAL AND INTELLECTUAL
PROPERTY MATTERS

AIRPORT SECURITY /BOARD ROOMS FACING GENDER INEQUALITY

Ref: 05.03.2025, Wednesday, Business Standard



This article sheds light on systemic gender biases that persist in both public infrastructure and corporate culture, urging a shift from tokenism to true inclusivity. It calls for institutional reforms that prioritize equality in design, policy, and leadership, paving the way for a more balanced and progressive society. At 11 Indian airports, gender-segregated security checks continue, with women undergoing body scans in curtained enclosures—adding extra physical burden on female security personnel, unlike their male counterparts. This outdated setup, designed under the guise of privacy, has not been modernized, even though handheld scanners don't require disrobing or physical contact. Despite repeated complaints by female staff, the issue remains unaddressed highlighting gender insensitivity in operational design. Adding to this is the bias at Digi Yatra queues where women are redirected to separate lanes, reflecting old-fashioned attitudes. Such well-intended but poorly thought-out policies often end up reinforcing gender inequality. On a positive note, corporate boardrooms are witnessing gradual progress. Legal mandates have led to increased female representation, as seen in Cummins India, where women now form the majority, including the chairperson and managing director. Though boardroom dynamics remain professionally consistent, gestures like the global CEO donning a sari during official visits send powerful messages of cultural pride and inclusivity. However, challenges persist.

ABERDEEN REBRANDED TO ORIGINAL

Ref: 10.03.2025, Monday, Business Standard



Aberdeen's rebranding reversal underscores the importance of authenticity and clarity in corporate identity, especially in trust driven sectors like finance. It serves as a reminder that branding should reflect

core values and audience sensibilities, not fleeting trends fostering deeper consumer trust and long-term credibility. In a recent reversal, UK investment giant Aberdeen has reinstated the vowels in its name, moving away from its 2021 rebrand as "abrdrn." The original name change, intended to project a modern and digital image, was met with widespread mockery. CEO Jason Windsor, appointed last year, said the move aims to eliminate distractions and reconnect with the company's legacy and credibility. This isn't the first time a rebranding effort has gone awry. The trend of removing vowels or using quirky spellings—popularized by tech firms like Flickr, Tumblr, and the early version of Twitter ("twtr")—now feels outdated.

ROGUE WEBSITES SHUT DOWN BY COURTS

Ref: 08.03.2025, Saturday, Hindustan Times



Surge in counterfeit websites highlights a critical need for stronger digital IP enforcement and public awareness. The judiciary's proactive stance, especially through John Doe orders and dynamic injunctions, sets a robust precedent for safeguarding brand integrity and consumer data. As companies bolster legal and cybersecurity defenses, this collective vigilance fosters a safer digital ecosystem, deterring fraud and reinforcing trust in e-commerce. Brands like JioStar, Louis Vuitton, Warner Bros., Tata Solar, and Domino's have approached the IPR division of the Delhi High Court to take action against such platforms, which threaten brand reputation, consumer trust, and data privacy. Courts have responded firmly—blocking fraudulent domains, penalizing infringers, and issuing dynamic injunctions to curb real-time abuse. Experts say the shift to e-commerce during the pandemic created fertile ground for brand impersonation. Cybercriminals exploit familiar brand names, using phishing, malware, and fake portals to deceive users and harvest sensitive data. In response, businesses are now adopting a multi-pronged approach: collaborating with cybersecurity experts, monitoring domain registrations, and preemptively buying lookalike domains.

OPEN AI AND MUSIC

Ref: 08.03.2025, Saturday, Hindustan Times



This landmark lawsuit marks a pivotal moment in defining the balance between technological innovation and creators' rights. Leading Indian music labels, including T-Series, Saregama, and Sony, have filed a lawsuit against OpenAI over alleged unauthorized use of their sound recordings to train AI models. By challenging the unauthorized use of copyrighted music in AI training, it pushes for ethical AI development, fair compensation, and the preservation of artistic integrity and laying the foundation for responsible innovation that respects the creative economy. The Indian Music Industry (IMI), representing major labels in the case, has refrained from commenting due to ongoing legal proceedings. However, legal professionals argue that unchecked use of copyrighted content for AI purposes could fundamentally reshape the definition and enforcement of copyright law in India. As AI-generated music mimics existing styles and voices sometimes controversially industry stakeholders are demanding clearer regulations to ensure that creators retain rights over their work and are fairly compensated in the age of AI.

IRP MISUES THWARTED BY SC

Ref: 12.03.2025, Wednesday, Business Standard



Recently, the Supreme Court has clarified that the interim moratorium under the Insolvency and Bankruptcy Code (IBC) does not protect individuals or companies from paying regulatory penalties. This landmark ruling comes in a case involving East and West Builders, where the National Consumer Disputes Redressal Commission (NCDRC) had imposed penalties on the proprietor amid ongoing insolvency proceedings. It's a significant step toward upholding regulatory accountability and protecting consumer rights within insolvency frameworks. By clarifying that the IBC cannot shield violators from penalties, it closes a critical loophole often exploited by defaulting entities ensuring that justice and public interest are not compromised in the name of insolvency protection.

POLICY PROPOSAL BY OPEN AI TO US FEDERAL GOVERNMENT

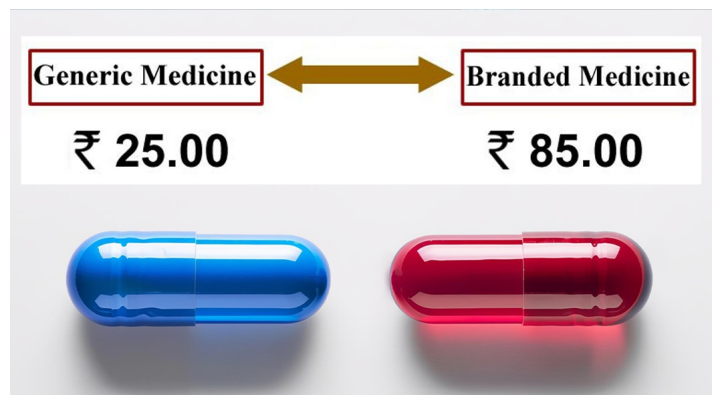
Ref: 14.03.2025, Friday, Hindustan Times



OpenAI's proposal highlights the urgent need for a cohesive national AI policy that balances innovation with accountability. While regulatory relief in exchange for transparency could foster responsible development, safeguards must ensure that public interest, privacy, and ethical standards are not compromised in the race for technological supremacy. A unified federal framework is essential to guide AI progress while upholding democratic values. The company proposed that the U.S. AI Safety Institute act as a liaison between the government and the private sector, offering protections from state-imposed rules to AI developers that cooperate at the federal level. OpenAI also pushed for reforms in copyright law, stronger federal investment in AI infrastructure, and access to government-held data, including health records, to support responsible AI development.

PATENT EXPIRATIONS PROPEL GENERIC DRUG GROWTH

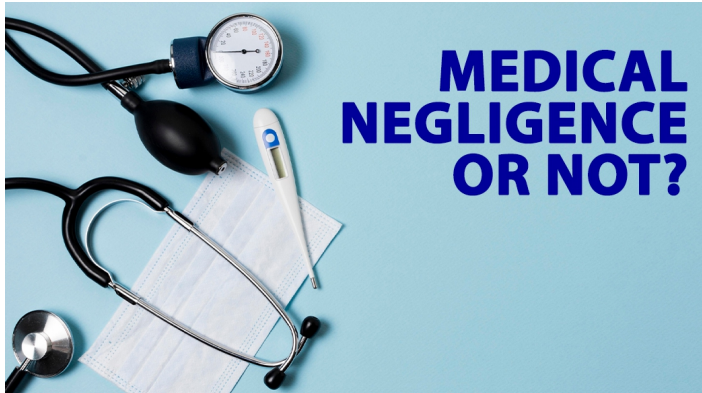
Ref: 14.03.2025, Friday, Business Standard



The Indian pharmaceutical market has witnessed a surge in the availability of affordable generic drugs for diabetes and heart-related conditions, following the expiry of patents for key medications over the past few years. Drugs such as vildagliptin and dapagliflozin have seen the launch of over 200 generic versions each, significantly reducing costs and enhancing patient access. Experts note that drug prices often fall to a fraction of their original cost within months of patent expiry, while prescription volumes increase dramatically. Empagliflozin, which recently went off-patent, is already witnessing a steep price drop as several pharmaceutical companies rush to launch their own versions. While this trend intensifies competition, it also brings challenges related to product quality and brand survival. This democratization of healthcare not only eases the financial burden on patients but also strengthens the country's pharmaceutical ecosystem provided that quality control and ethical competition remain top priorities.

DOCTORS EXONERATED OF NEGLIGENCE

Ref: 17.03.2025, Monday, Business Standard



In a case concerning alleged medical negligence, a patient developed cataracts in both eyes following prolonged use of steroid eye drops. Initially referred to one eye specialist and then treated by another she was prescribed Pred Forte for an extended period, which apparently led her to develop cataract. The complainant filed a complaint against both doctors, alleging that their actions adversely impacted her health and education. While the District Forum dismissed her complaint, the Uttar Pradesh State Consumer Commission found both doctors liable, awarding her compensation and costs amounting to over ₹7.5 lakh, along with interest. However, upon further appeal, the National Consumer Disputes Redressal Commission overturned the state commission's decision. The final ruling emphasized that strict adherence to standard medical procedures, even if outcomes are not as expected, does not amount to negligence. While it underscores the need for transparency and patient education about drug side effects, it also protects healthcare professionals from undue liability promoting a balanced environment of accountability and trust in medical practice.

NCLAT TO RULE ON SCHEDULING OF META'S APPEAL

Ref: 18.03.2025, Tuesday, Hindustan Times

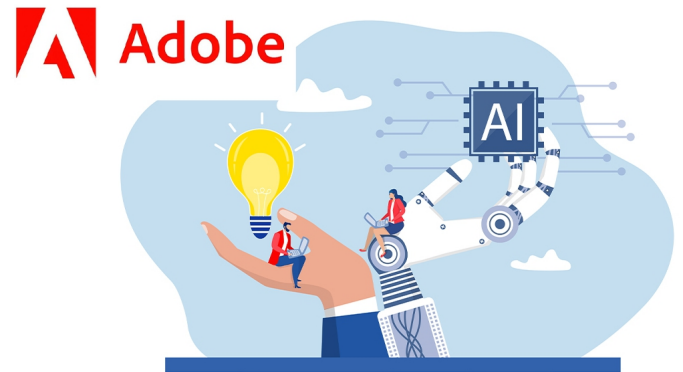


The National Company Law Appellate Tribunal (NCLAT) will determine on May 13 whether to hear Meta Platforms' appeal against the Competition Commission of India's (CCI) order on WhatsApp's data sharing practices before or after the Digital Personal Data Protection Rules are enforced. The tribunal, led by Justice Ashok Bhushan, is considering whether the new data protection regime may impact or overlap with CCI's jurisdiction in the matter. The outcome may prove crucial for Meta, which has contested CCI's November 2024 decision that imposed a ₹213 crore penalty and prohibited WhatsApp from sharing user data with Facebook

or Instagram for ad targeting. The government had earlier released draft rules under the Digital Personal Data Protection Act, 2023, aiming to enforce them by mid-2025. Meanwhile, NCLAT temporarily lifted the ban in January, requiring Meta to deposit half the penalty amount. Meta maintains that the restrictions could severely impact its operations across platforms. Balancing regulatory authority and user privacy is essential in today's tech-driven economy and this case underscores the urgent need for clear, harmonized rules to protect consumer rights while enabling fair digital innovation.

ADOBE'S AI EXPANSION WHETHER TENABLE OR NOT

Ref: 20.03.2025, Thursday, Hindustan Times



Adobe's push into enterprise AI, with legal safeguards and model flexibility, reflects a responsible and scalable approach to innovation. While investor caution is understandable, such efforts lay the groundwork for more secure, ethical, and business aligned AI adoption. Despite the ambition to become a one-stop AI software provider, investors responded cautiously. This hesitancy mirrors broader investor caution, as seen with Amazon's AI-enabled Alexa Plus, which raised privacy concerns due to non-optional voice data collection. However, Adobe expects this to grow to \$250 million by year-end. CTO Eliot Greenfield emphasized legal protections for users of Adobe's AI models and flexibility through support for external models. Industry experts note that while AI interest is high, copyright issues continue to make businesses wary of full adoption, especially in marketing.

ROCS STEP UP ENFORCEMENT ON COMPANY LAW BREACHES

Ref: 24.03.2025, Monday, Hindustan Times



Registrar of Companies has enhanced enforcement as per its stipulated rules and the corporate compliance is no longer optional, especially for private and small companies. Over 1,160 adjudication orders were issued, primarily for non-compliance with essential provisions like maintaining a registered office, timely filing of financial statements and annual returns, and disclosing significant beneficial ownership. Private limited and small companies formed a large portion of those penalized,

indicating a gap in awareness and compliance among such entities. ICSI President emphasized that companies with full-time company secretaries show higher compliance, avoiding penalties and reputational damage. Experts urge businesses to adopt a proactive approach to compliance, as regulatory scrutiny continues to grow. This shift promotes greater transparency, accountability and governance in India's corporate ecosystem strengthening investor confidence and laying the foundation for more responsible business practices across the board.

LEVY OF SERVICE CHARGE CANNOT BE MANDATORY – DHC RULES

Ref: 29.03.2025, Saturday, Business Standard



The Delhi High Court's recent ruling marks a vital victory for consumer rights, reinforcing the principle that tips and service charges must remain a matter of personal choice, not obligation. By curbing deceptive billing practices, the decision fosters transparency, safeguards consumers from undue financial pressure and upholds fairness in everyday transactions benefiting society at large. Justice Pratibha M. Singh emphasized that forcing service charges infringes on consumer rights and goes against fair trade practices. The verdict came in response to petitions from hotel and restaurant associations, who may now challenge the decision in the Supreme Court. It also highlighted that the practice often misleads consumers into confusing service charges with government-imposed taxes, leading to additional financial burdens due to applicable GST on such charges. The High Court described the practice as deceptive and imposed ₹1 lakh costs on each petitioner.

COURT SUSPENDS AQUAPEYA'S ACTIVITIES AS IPR INFRINGEMENT

Ref: 02.03.2025, Wednesday, The Economic Times



The Aqua peypa case serves as a crucial reminder that innovation must go hand-in-hand with respect for intellectual property. Aqua peypa, a

Maharashtra-based bottled water and soft drinks company featured on Shark Tank India Season 3, has been restrained by a court from selling its products after being found guilty of trademark infringement. The startup, founded by brothers Tushar and Ravi Mundada, had gained popularity for its attractively priced water bottles and flavored beverages. However, legal trouble began when major FMCG companies approached the Court and it was held that Aqua peypa's use of similar color schemes, fonts, and bottle shapes could mislead consumers and amounted to passing off under intellectual property laws. As a result, the court passed an injunction order restraining the company from manufacturing, marketing, or selling its products under the current branding. Legal experts have emphasized that the case underscores the importance of originality and IP due diligence, even for startups. By holding startups accountable for brand imitation, the court reinforces ethical business practices and protects consumer trust. This verdict promotes a culture of originality and fair competition key pillars for a thriving entrepreneurial ecosystem and a more responsible marketplace.



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

Telephone No:

Delhi - 011 - 49122916; 9910734340; 9810296002

Chandigarh - 0172-2544552

Email: info@knowledgegentia.com

Website: www.knowledgegentia.com

©All rights reserved.

KnowledgeGentia Consultants®