

KNOWLEDGEATE®-JUNE 2025

IMPARTING KNOWLEDGE ON LATEST CORPORATE LEGAL AND INTELLECTUAL
PROPERTY MATTERS

India Plans Major Revamp of Prescription Drug List to Curb Antibiotic Misuse

Ref: 04.06.2025, Wednesday, Business Standard



India's top drug regulator, the Drugs Controller General of India (DCGI), is preparing to overhaul the list of medicines under Schedule H of the Drugs and Cosmetics Rules, 1945. The proposed revision of Schedule H is a crucial step toward curbing the misuse of potent drugs and combating antimicrobial resistance in India. Stricter regulation will not only safeguard public health but also promote more responsible prescribing and dispensing practices. The primary goal is to address the increasing threat of antimicrobial resistance (AMR), driven in part by self-medication and over-the-counter access to powerful drugs. Timely action now can prevent a looming public health crisis in the future.

WAZIRX PARENT RESTRUCTURING

Ref: 05.06.2025, Thursday, Business Standard



Recent decision of Singapore High Court's reiterates the importance of transparency and regulatory compliance in the cryptocurrency industry. The parent company of WazirX submitted its proposal for restructuring but in lieu of the cyber theft of \$235 million last year, the same has been rejected. In a statement on social media platform X, WazirX acknowledged the court's decision and reaffirmed its commitment to regulatory compliance. Companies handling public funds must be held to the highest standards to protect investors and maintain trust. Strengthening oversight mechanisms will help foster a safer and more accountable digital financial ecosystem.

OpenAI Partners with IndiaAI Mission to Launch AI Academy and Localize AI Training in India

Ref: 06.06.2025, Friday, Hindustan Times



Launch of OpenAI Academy in India is a landmark step toward democratizing AI education and empowering a new generation of innovators. By making advanced AI tools and training accessible in multiple languages, this initiative promotes inclusive growth and bridges the digital divide. It has the potential to unlock transformative solutions for India's diverse socio-economic challenges.

EXPORT CURBS OF CHINA INVOCATION OF FORCE MAJEURE

Ref: 11.06.2025, Wednesday, Business Standard



Invoking the force majeure clause during critical supply disruptions, like the current magnet shortage, is not only legally justified but also vital for protecting industries and livelihoods. Indian contract law must continue to support fair remedies in times of global uncertainty. Encouraging awareness and responsible use of such legal provisions ensures business continuity without compromising legal integrity. Its essential for the importers to initiate and invoke the agreements timely lest they might get grappled with suits and cases for performance by third parties.

HUF TAX SAVIOR IS IT?

Ref: 11.06.2025, Wednesday, Hindustan Times



While Hindu Undivided Families (HUFs) taxation and file offer valid tax planning benefits, their misuse can lead to legal complications and familial disputes. Educating taxpayers on the correct and ethical use of HUFs promotes financial transparency and responsible tax behavior. An HUF is a separate legal entity that automatically comes into existence when a Hindu, Jain, Sikh, or Buddhist male marries and has children. It can obtain a PAN, earn income, file returns, and own property as well. However, disposing off an asset of HUF is not easy and there is nothing like partial partition so for closure the HUF, all assets have to be divided and partition completed with all co-owners. Rather than blindly following online advice, individuals should consult professionals to ensure compliance and long-term harmony.

IS ASIAN PAINTS ABUSING ITS POSITION?

Ref: 14.06.2025, Saturday, Business Standard



Ensuring fair competition in the paints industry is crucial for consumer choice, innovation, and pricing transparency. The Competition Commission of India (CCI) is expected to initiate an investigation into Asian Paints following a complaint by Grasim Industries' Birla Opus brand. The allegation accuses Asian Paints, which controls over 50% of the decorative paints market, of using its dominant position to suppress competition through exclusionary practices. If dominant players misuse their market position to stifle new entrants, it undermines entrepreneurial growth and healthy market dynamics. The CCI's decision could have significant implications for competitive practices in India's paints industry.

START UPS SAY FOR DIGITAL COMPETITION BILL

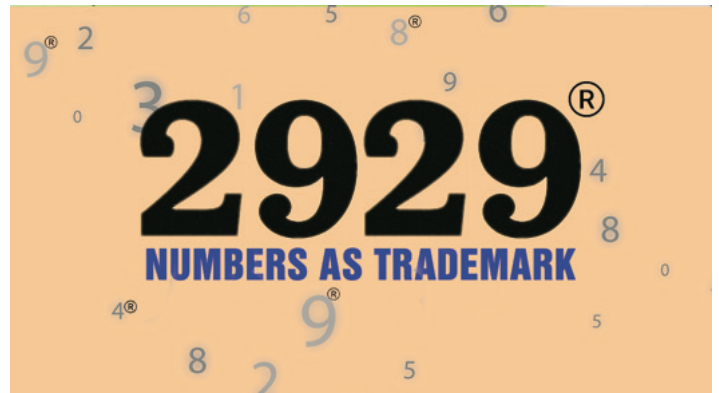
Ref: 16.06.2025, Monday, Business Standard



Domestic firms and registered start-ups have requested that the thresholds outlined in the Draft Digital Competition Bill (DCB) be raised to avoid further burdens on smaller players. The demand was submitted to a parliamentary panel currently reviewing the Competition Commission of India's (CCI) role in regulating the digital economy. To foster a thriving digital ecosystem, India must carefully calibrate regulatory thresholds in the Draft Digital Competition Bill. Overregulation of emerging tech firms could stifle innovation and growth. A balanced approach protecting fair competition while empowering start-ups will ensure long-term digital inclusivity, economic strength and consumer welfare.

NUMBERS AS TMS

Ref: 27.06.2025, Friday, Business Standard



The Delhi High Court's recent decision to allow numeric trademarks underscores the evolving nature of intellectual property, but also highlights the need for legislative safeguards to prevent misuse. The case involved trademark "2929" for a cosmetics product. The Trademark Registry had earlier rejected the application, citing a lack of distinctiveness. Clearer guidelines must ensure that culturally sensitive or commonly used numbers aren't monopolized, preserving both fair competition and public interest. Balanced regulation will help foster innovation while protecting societal values.

NO INTERIM RELIEF IN PATENT MATTER

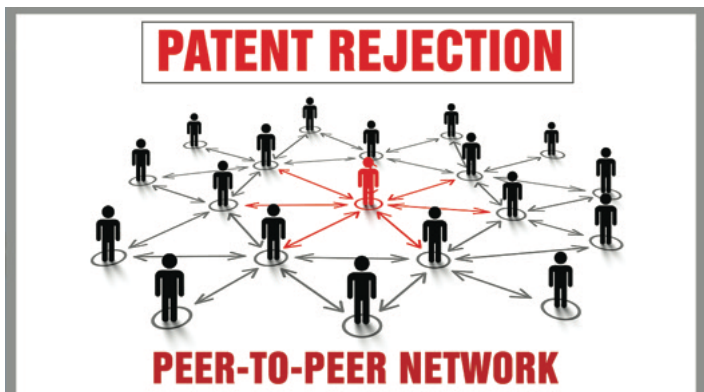
Ref: CONQUEROR INNOVATIONS PRIVATE LIMITED
& ANR vs XIAOMI TECHNOLOGY INDIA PRIVATE
LIMITED, 05.07.2025



The Delhi High Court has declined to grant interim injunction in a patent infringement suit filed against Xiaomi. The plaintiff had alleged that Xiaomi's anti-theft "kill switch" technology, integrated into Android devices, infringed on their registered patent (No. 244963), titled "A Communication Device Finder System." The plaintiff claimed that their patent is a standard essential one and that Xiaomi's product violated its core features. The Court, after reviewing the claims, found that the essential elements described in the patent's independent claim such as specific memory configurations and auto-answer modes were not present in Xiaomi's devices. It concluded that an interim order would unfairly harm the defendant, especially given the product's long-standing presence in the market. Thus, the application for interim relief was dismissed. The Delhi High Court's decision reinforces the principle that intellectual property rights must be actively enforced and transparently utilized to merit protection. By emphasizing timely action and actual working of patents in India, the judgment protects businesses from unfair disruptions while encouraging innovators to engage meaningfully with the domestic market. This balance supports both technological growth and judicial integrity.

REFUSAL OF PATENT U/S 3(K) UPHELD BY DHC

Ref: Kroll Information Assurance, LLC vs
The Controller General Of Patents, Design and
Trademarks and Ors, 01.07.2025



The Delhi High Court has upheld the rejection of Indian patent application no. 8100/DELNP/2007, originally filed by TIVERSa, Inc. and later pursued by Kroll Information Assurance, LLC, for an invention titled "An apparatus to locate at least one type of person via Peer-to-Peer network." The application was based on a PCT filing claiming priority from a U.S. application. The Delhi High Court's ruling underscores the importance of maintaining clear boundaries between patentable inventions and abstract software ideas. By reaffirming that mere algorithms or computer programs without demonstrable technical effect are not patentable, the decision protects the integrity of India's patent system while encouraging genuine innovation that offers tangible societal benefits. The Indian Patent Office had refused the application citing lack of invention under Section 2(1)(j), bar on software patents under Section 3(k), and impermissible amendments under Section 59 of the Patents Act. Citing precedents like Blackberry v Controller, Microsoft v Controller, and LAVA v Ericsson, the Court reiterated that patent claims based solely on abstract algorithms or software without a tangible technical effect or hardware enhancement are excluded under Section 3(k). This helps prevent monopolies over basic software functionalities and keeps the innovation ecosystem open and competitive.

IS KAHANI 2 A COPY OR FAKE CLAIMS

Ref: 02.07.2025, Wednesday, Live Law



Sujoy Ghosh's plea to quash the copyright case highlights the critical need for fair preliminary scrutiny before launching criminal proceedings in intellectual property disputes. Courts must ensure that creative professionals are not subjected to undue harassment without prima facie evidence. The petition challenges charges filed under Section 63 of the Copyright Act, 1957, which stem from allegations that the movie's script was copied from a script titled Sabak by Umesh Prasad Mehta. The Supreme Court issued notice to the State of Jharkhand and the complainant and exempted petitioner from appearing before the magistrate. Strengthening due process will protect both genuine creators and legitimate claimants, fostering a more balanced and just cultural landscape.

PRADA AND KOHLAPURI CHAPPALS

Ref: 01.07.2025, Tuesday, The Hindu



The Prada-Kolhapuri chappal controversy underscores the urgent need for international recognition and enforcement of Geographical Indications to safeguard traditional craftsmanship. Recently, Prada showcased footwear which closely resembled Kolhapuri chappals which are duly protected GI in India during its Milan Show. While GI tags empower local artisans domestically, global collaboration and stronger ethical standards from multinational brands are essential to prevent cultural misappropriation. Protecting such heritage not only preserves identity but also ensures economic justice for indigenous communities. In Prada's case, the brand did not use the term "Kolhapuri" or falsely claim Indian origin, making it difficult for Indian authorities to establish a legal infringement. Cases like the Prada incident highlight the need for expanded international protections and a broader ethical commitment from global brands to credit the original handicraft community and fairly pay royalty to the community whose work they use. What is the legal standing and how can royalty be claimed by the genuine handicraft owners if such business tycoons copy their work?



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