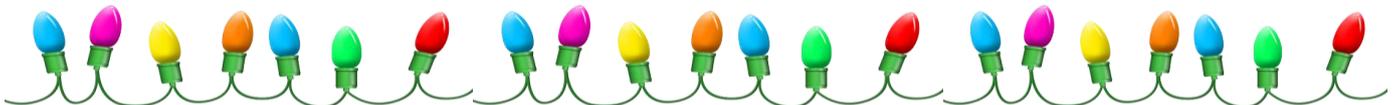
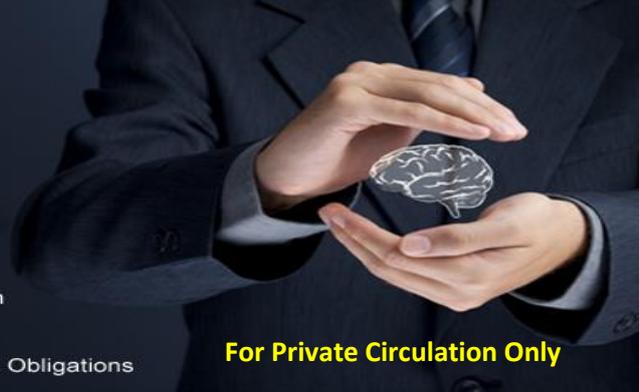


Intellectual Property advocacy in the fields of:

- IP Infrastructure
- IP Valuation
- M & A
- IP Policy
- Technology Transfer
- Innovation Research
- Patent Law
- Licensing
- Data Management
- Copyright
- Collaborations
- Balance for Rights & Obligations

**For Private Circulation Only**



NOV 2021

Intellectual Property advocacy in the fields of:

- IP Infrastructure
- IP Valuation
- M & A
- IP Policy
- Technology Transfer
- Innovation Research
- Patent Law
- Licensing
- Data Management
- Copyright
- Collaborations
- Balance for Rights & Obligations

For Private Circulation Only

## Delhi High Court Draft Intellectual Property Rights Division Rules, 2021

### NOTICE

The attention of members of the Bar is kindly invited to the public notice dated 08.10.2021 (copy enclosed) inviting comments/ suggestions on the draft of the proposed "*Delhi High Court Intellectual Property Rights Division Rules, 2021*".

All the members of the Bar are informed that the time period for sending comments/ suggestions to the same stands extended till 10.11.2021.



Registrar General  
High Court of Delhi

### NOTICE

The High Court of Delhi is in the process of framing Delhi High Court Intellectual Property Rights Division Rules, 2021. A draft of the proposed "*Delhi High Court Intellectual Property Rights Division Rules, 2021*" is enclosed herewith. The members of the Bar are requested to send their comments / suggestions if any, within two weeks through e-mail at [ir-rules.dhc@gov.in](mailto:ir-rules.dhc@gov.in)



Registrar General  
High Court of Delhi

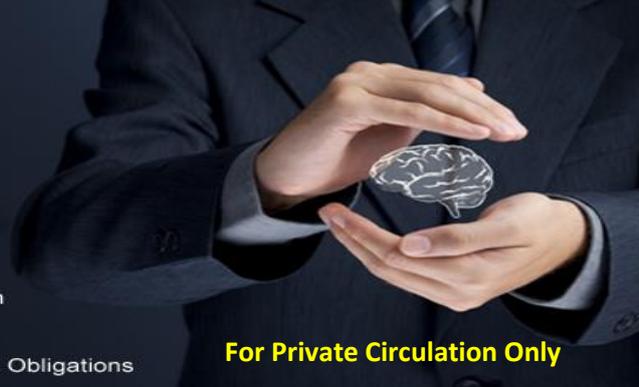
Click on:

[http://delhihighcourt.nic.in/writereaddata/Upload/PublicNotices/PublicNotice\\_35X6H75GR4G.PDF](http://delhihighcourt.nic.in/writereaddata/Upload/PublicNotices/PublicNotice_35X6H75GR4G.PDF)



Intellectual Property advocacy in the fields of:

- IP Infrastructure
- IP Valuation
- M & A
- IP Policy
- Technology Transfer
- Innovation Research
- Patent Law
- Licensing
- Data Management
- Copyright
- Collaborations
- Balance for Rights & Obligations



For Private Circulation Only

## Govt sets up panel to frame new laws for drugs, devices and cosmetics

The government has set up an expert committee to frame new laws for medicines, cosmetics and medical devices in a bid to replace the existing Drugs and Cosmetics Act which was formed in 1940. An eight-member committee headed by the drug regulator has been formed by the ministry of health and family welfare.

According to the health ministry, the committee shall undertake pre-legislative consultations and examine the present Act, previously framed drugs and cosmetics bills and submit a draft document for de-novo drugs, cosmetics and medical devices bill by November 30, 2021.

**Source:** <https://economictimes.indiatimes.com/industry/healthcare/biotech/pharmaceuticals/govt-sets-up-panel-to-frame-new-laws-for-drugs-devices-and-cosmetics/articleshow/86055395.cms?from=mdr>

## WiTricity Joins MPEG LA's Qi Patent Pool for Standard Essential Patents

WiTricity, the pioneer in wireless charging, today announced it has joined MPEG LA's Qi Wireless Power Portfolio License as a licensor of patents essential to the practice of the Qi Wireless Power Standard (the "Qi Standard").

Other licensors included in the pool include Philips, Bosch, Panasonic, General Electric and ConvenientPower. The Qi License streamlines licensing by providing implementers of the Qi Standard with one-stop access to essential patent rights.

**Source:** <https://www.businesswire.com/news/home/20211101005087/en/WiTricity-Joins-MPEG-LA%E2%80%99s-Qi-Patent-Pool-for-Standard-Essential-Patents>

## Samsung not allowed to sell 61 models of its smartphones in Russia due to patent infringement

Russian courts have ruled on the first instance that Samsung is to halt imports and sales of up to 61 models of its smartphones running Samsung Pay including its top of the line Galaxy Z Fold3 and Z Flip3 over accusations that Samsung Pay violates a patent of Swiss-based mobile payments company Sqwin Sa.

**Source:** [https://www.gsmarena.com/samsung\\_not\\_allowed\\_to\\_sell\\_61\\_models\\_of\\_its\\_smartphones\\_in\\_russia\\_due\\_to\\_patent\\_infringement\\_news-51540.php](https://www.gsmarena.com/samsung_not_allowed_to_sell_61_models_of_its_smartphones_in_russia_due_to_patent_infringement_news-51540.php)



Intellectual Property advocacy in the fields of:

- IP Infrastructure
- IP Valuation
- M & A
- IP Policy
- Technology Transfer
- Innovation Research
- Patent Law
- Licensing
- Data Management
- Copyright
- Collaborations
- Balance for Rights & Obligations

For Private Circulation Only

## "First in the Market" Test

### Will the rights of a prior user override those of subsequent user even though it had been accorded registration of its trademark? All-Inclusive Report on Trademark Infringement of 'Rajdhani'

The rights of a prior user will normally override those of the subsequent user even though it had been accorded registration of its trademark.

High Court held that prima facie, the plaintiff was the first in the market with the trademark 'Rajdhani' and was the registered owner of the said trademark.

The defendant was using the trademark 'Rajdhani' for allied and cognate goods which was identical as that of the trademark of the plaintiff and prima facie infringing the rights of the plaintiff.

Therefore, an interim injunction was passed in favour of the plaintiff against the defendants restraining defendants its directors, proprietors, etc. from using in any manner the trademark 'Rajdhani' or any other trademark which is deceptively similar to the trademark of the plaintiff.

Source: <https://www.sconline.com/blog/post/2021/09/02/trademark-infringement/>

### There is no copyright in an idea: Bombay High Court refuses injunction against release of Zombivli

The Bombay High Court recently refused to restrain the release of Zombivli, a film produced by Saregama India, in a copyright infringement suit filed by a filmmaker (Tarun Wadhwa v. Saregama India Ltd & Anr).

Justice Patel was of the opinion that on the actual sharing of the material, there was no controversy. The judgment stated,

*"This is, therefore, not a question of 'originality' in the work per se but the dichotomy between an idea and its expression in copyright law (as distinct from confidentiality law). There is no copyright in an idea. It exists only in a particular expression of an idea, that is to say, how individual elements, none of which are in themselves susceptible to copyright protection, are put together."*

Source: <https://www.barandbench.com/news/litigation/there-is-no-copyright-in-an-idea-bombay-high-court-refuses-injunction-against-release-of-zombivli>

