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(E-NEWSLETTER)

An initiative by INDIA JURIS

**This JurisPost Dictums (Issue/ February/2025)
covers the latest developments in the field of
Intellectual Property Rights (IPRs)**

(Issue/February/2025)



INDIA JURIS

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“SOUTH KOREAN BEAUTY BRAND GETS TRADEMARK PROTECTION FOR ITS BRAND ‘BEAUTY OF JOSEON’”

PARTIES

Goodai Global Inc. (“**Petitioner**”)

Shahnawaz Siddiqu & Anr (“**Respondent**”)

Delhi High Court (DHC)

MARK IN QUESTION: ‘Beauty of Joseon’

CASE SUMMARY:

Goodai Global Inc. (Petitioner),¹ a South Korean beauty and cosmetic distribution company operating in 54 countries under the brand name ‘Beauty of Joseon,’ filed a trademark rectification petition under Section 57 of Trademarks Act 1999 (TM Act) against Shahnawaz Siddiqu (Respondent) before the DHC. The Respondent had registered the mark “Beauty of Joseon” in India for goods and services similar to those of the Petitioner on a proposed-to-be-used basis under Class 3.

The High Court observed that a mere comparison of the two marks revealed their near-identical nature, making them likely to cause consumer confusion. It further noted that the Respondent had no legitimate reason to adopt a device mark featuring a Korean name in Hangul characters and appeared to be attempting to capitalize on the Petitioner's established goodwill. Consequently, the Court directed the removal of the impugned trademark no. 5635163 in Class 3 from the Register of Trade Marks.

[Click here to view the Judgement.](#)

¹ Goodai Global Inc v. Shahnawaz Siddiqu & ANR.

DHC, C.O. (COMM.IPD –TM) 81/2024, decided on 09th February 2025

USE OF MARK ‘MASABA’/ ‘MASABA COUTURE’ AND SIMILAR VARIANTS UNAUTHORISEDLY WAS RESTRICTED INCLUDING IN INSTAGRAM HANDLES

PARTIES

House Of Masaba Lifestyle Private Limited (“**Plaintiff**”)

MASABACOUTUREOFFICIAL.CO & ORS. (“**Defendant**”)

Delhi High Court (DHC)

MARK IN QUESTION: ‘MASABA’/ ‘MASABA COUTURE’

CASE SUMMARY:

The plaintiff, House of Masaba Lifestyle Private Ltd.,² alleged that the defendants were using its registered trademarks on Instagram and websites, “masabacoutureofficial.co” and “masabacouture.in.” The plaintiff contended that the defendants’ use of “MASABA” and “MASABA COUTURE” was malafide, misleading consumers, and harming its brand’s distinctiveness. The plaintiff, owning trademark rights since 2010, is engaged in the business of bridal lehengas, jewellery, sarees, gowns, men’s apparel, kurtas, shirts, and designer clothing and asserted that its brand is a well-known identifier due to extensive sales and promotions. The High Court found a prima facie case in favour of the plaintiff, holding that the balance of convenience also tilted in its favour. It restrained the defendants, their agents, and retailers from using the impugned marks or any deceptively similar variants under Section 11 of the TM Act. The court also directed Instagram to take down the infringing handles and provide the defendants' contact details to the plaintiff. The interim relief plea was admitted, and the matter was listed for hearing on July 23.

[Click here to view the Judgement.](#)

² House Of Masaba Lifestyle Private Limited vs. Masabacoutureofficial.Co & Ors.

DHC, CS(COMM) 143 of 2025, decided on 18th February 2025

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“TRADEMARK INFRINGEMENT, PASSING OFF & VIOLATION OF RATAN TATA’S PERSONALITY RIGHTS”

PARTIES

Sir Ratan Tata Trust and Tata Sons
 (“Plaintiff”)

Dr. Rajat Shrivastava & Ors.
 (“Defendant”)

Delhi High Court (DHC)

MARK IN QUESTION: “TATA” and
 “TATA TRUSTS”

CASE SUMMARY:

In a lawsuit concerning trademark and personality rights infringement³, the plaintiffs, Sir Ratan Tata Trust and Tata Sons, sought legal relief against the defendants for unlawfully using the well-known trademarks “TATA” and “TATA TRUSTS,” along with the renowned personal name and image of Late Ratan N. Tata. The plaintiffs asserted that the defendants falsely represented an affiliation with them by promoting an event under the title “Ratan Tata National Icon Award” and collecting nomination fees, thereby deceiving the public and causing significant damage to their goodwill and reputation.

The Court ruled in favour of the plaintiffs, affirming their statutory and common law rights over the trademarks and the well-known personal name Ratan Tata. It found the defendants conduct to be deceptive and amounting to infringement, passing off, and dilution under Section 134 and 135 of TM Act. Furthermore, the Court recognized that the use of Late Ratan Tata’s name and image constituted a violation of personality rights.

[Click here to view the Judgement.](#)

³ Sir Ratan Tata Trust & ANR. vs Dr. Rajat Shrivastava & Ors.
 DHC, CS(COMM) 104/2025, decided on
 07th February, 2025

“PERMANENT INJUNCTION GRANTED AGAINST COPYRIGHT PIRACY AND ILLEGAL BROADCASTING”

PARTIES

Star India Pvt. Ltd. & Anr. (“Plaintiff”)

Ashar Nisar & Ors. (“Defendant”)

Delhi High Court (DHC)

CASE SUMMARY:

In The Hon’ble DHC⁴, A suit was instituted seeking a permanent injunction to restrain the defendants from unlawfully and without authorization disseminating and broadcasting the plaintiffs’ works and content through their rogue websites and mobile applications. Previously, the Court had granted an ex-parte interim injunction in favour of the plaintiff. However, none of the defendants appeared in the proceedings. Upon examination, the Court concluded that the defendants had engaged in piracy of the plaintiffs’ copyrighted content under Section 51 of the Copyright Act, 1957 and accordingly, issued a permanent injunction prohibiting them from illegally broadcasting and distributing the plaintiffs’ content.

[Click here to view the Judgement.](#)

⁴ Star India Private Limited & ANR. vs Ashar Nisar & Ors.
 DHC, CS (COMM) 214/2022, decided on
 06th February, 2025

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“SETTLEMENT IN PATENT DISPUTE- HIGHLIGHTS SCOPE OF BOLAR EXEMPTION”

PARTIES

Incyte Holdings Corporation & Ors. (“**Plaintiff**”)

Granules India Limited (“**Defendant**”)

Delhi High Court (DHC)

CASE SUMMARY:

On February 4, 2024, The Hon’ble DHC⁵ recorded a settlement in a patent dispute over Ruxolitinib, a drug for myelofibrosis. Incyte alleged Granules’ patent infringement based on its Pharma compass listing, implying a commercial launch. Granules clarified that its activities fell under the Bolar research exemption (Section 107A of the Patents Act, 1940) and were solely for regulatory approvals. It admitted inadvertently listing Ruxolitinib Phosphate in its High Potent Products Catalog but later removed it. With this clarification, the dispute was settled, avoiding any court ruling on Section 107A’s scope. The case underscores the importance of pre-institution mediation in resolving such disputes efficiently.

[Click here to view the Judgement.](#)

⁵ Incyte Holdings Corporation & Ors. v. Granules India Limited DHC, CS(COMM) 1030/2024, decided on 04th February, 2025

“TRADEMARK INFRINGEMENT OF ‘SVAMAAN’ RESTRAINED BY INJUNCTION”

PARTIES

Svamaan Financial Services Private Limited (“**Plaintiff**”)

Sammaan Capital Limited & Ors. (“**Defendant**”)

Delhi High Court (DHC)

MARK IN QUESTION: “Svamaan”

CASE SUMMARY:

The Hon’ble DHC⁶ adjudicated a trademark infringement and passing off dispute between Plaintiff and Defendant, both engaged in financial services. The Plaintiff, operating since 2017 as an NBFC-MFI, alleged that the Defendants’ rebranding to ‘Sammaan’ in 2024 was deceptively similar to its registered trademark ‘Svamaan,’ leading to consumer confusion.

The Court held that ‘Sammaan’ was phonetically, visually, and conceptually similar to ‘Svamaan,’ and since both operated in financial services, confusion was likely under Section 29(2)(b) of the Trade Marks Act, 1999. The Defendants failed to justify their adoption of the mark despite prior objections. The Court ruled in favour of the Plaintiff, granting an interim injunction restraining the Defendants from using ‘Sammaan’ or any similar mark in business operations, advertisements, and branding. Further proceedings on the permanent injunction and damages claim were scheduled.

[Click here to view the Judgement.](#)

⁶ Svamaan Financial Services Private Limited vs Sammaan Capital Limited & Ors DHC, CS (COMM) 871/2024, decided on 10th February, 2025

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IPR PRACTICE SNAPSHOT

25⁺
Years

50⁺
Lawyers

5
Offices

85%
Global Clients

360^o
IPR Services

Shortest
TAT

INDIA JURIS is a leading international law firm from India, which has earned a reputation over the years advising on complex transactions and dispute resolutions related to Intellectual Property Rights (IPR) across all sectors.

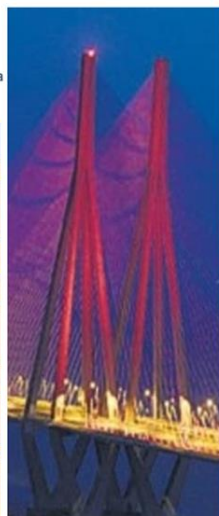
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