

NEWSLETTER



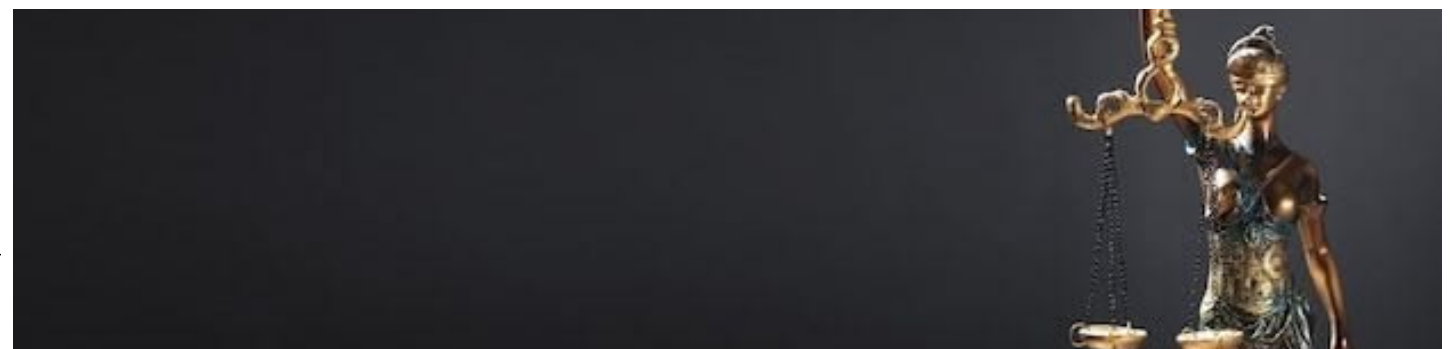
NEWS UPDATES FOR JUNE, 2026

Delhi High Court Restrains Sanjay Dutt-Backed Cartel Bros From Using 'Godfather' Mark For Whisky

The Delhi High Court (Devans Modern Breweries Ltd. v. Cartel Bros, June 22, 2026, Justice Tushar Rao Gedela) granted an interim injunction restraining Cartel Bros, a company backed by actor Sanjay Dutt from manufacturing, marketing or selling whisky under the marks "Godfather" or "Godfather's," or any deceptively similar mark, pending final adjudication of the infringement suit.

Key Points

- The Court found that Devans had established a prima facie case, and that denial of interim protection could cause irreparable injury to its trademark rights and goodwill.
- The injunction extends to successors, assigns, partners and directors of Cartel Bros, and directs removal of all advertising and promotional content bearing the impugned mark.



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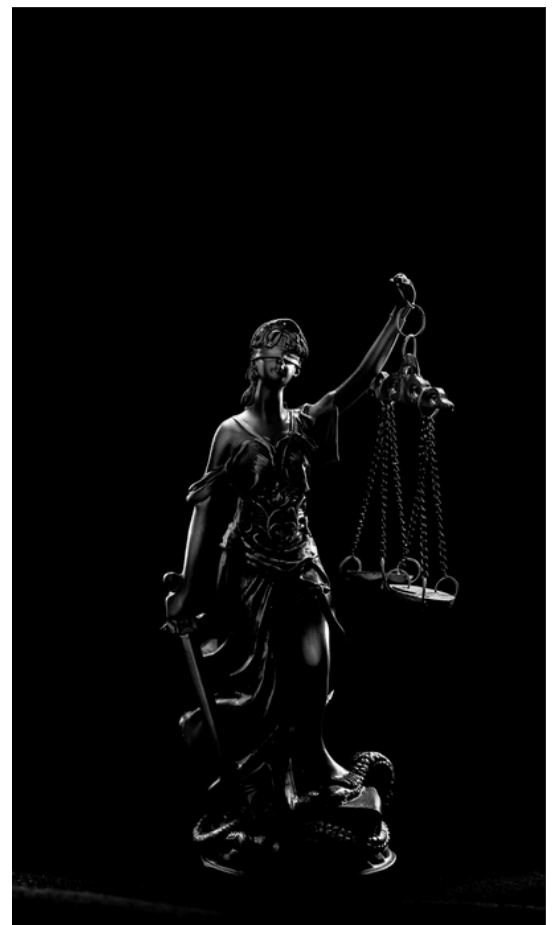
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Delhi High Court Sets Aside Permanent Injunction In BEVATAS vs BEVETEX Pharmaceutical Trademark Dispute

The Delhi High Court (Sun Pharmaceutical Industries Ltd. v. Intas Pharmaceuticals Ltd., appeal decided June 13, 2026, against a single-judge judgment dated March 28, 2026) set aside a permanent injunction restraining Intas from using the mark "BEVATAS," holding that the trial court had wrongly imported the statutory presumption of confusion under Section 29(3) of the Trade Marks Act without weighing the oral and documentary evidence on record.

Key Points

- The Court clarified that a bare visual comparison of marks may justify an interim order, but cannot by itself sustain a final decree of permanent injunction after a full trial.
- The ruling reins in the use of presumed confusion in pharmaceutical trademark litigation, requiring an evidence-based assessment at the post-trial stage.



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Delhi High Court Quashes Refusal Of 'BIG INDIA' Trademark Registration, Orders Fresh Review

The Delhi High Court (Purpos Planet v. The Registrar Of Trade Marks, C.A. (COMM.IPD-TM) 30/2025, Justice Singh, June 2026) set aside an order of the Senior Examiner of Trade Marks refusing registration of the mark "BIG INDIA," finding that the refusal order failed to consider the applicant's submissions on assessing the mark as a composite whole.

Key Points

- The Court found that the Registrar's order did not even refer to several submissions raised by the applicant, despite their relevance to distinctiveness.
- The application was remanded for fresh consideration, with directions to examine the mark as a whole rather than by splitting it into its constituent words.



WHAT IS A TRADEMARK?

A symbol or word capable of distinguishing the good or services of one enterprise from those of other enterprises.



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Supreme Court Permits Sale Of ₹40 Crore ELITO Battery Inventory, Partly Modifies Exide Trade Dress Injunction

The Supreme Court of India (Amara Raja Energy & Mobility Ltd. v. Exide Industries Ltd., Petition(s) for Special Leave to Appeal (C) No(s). 18549/2026, June 2026) partly modified a Calcutta High Court trade dress injunction, permitting the sale of existing ELITO-branded battery inventory lying with distributors and retailers, while directing destruction of all unused cartons bearing the impugned trade dress.



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Key Points

- The Court allowed the sale of existing stock to prevent substantial financial loss to Amara Raja, while keeping the core trade dress injunction largely intact.
- Destruction of unused packaging ensures the injunction's protective purpose is preserved even as past inventory is permitted to be sold off.



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Delhi High Court Cancels 'ZOOOK' Copyright Registration Over Trademark Conflict

The Delhi High Court (Fortune Marketing Private Limited v. Gujarat Pesticides & Ors., judgment delivered May 29, 2026, reported June 2026) cancelled a copyright registration obtained over the "ZOOOK" artistic work and packaging label, holding that copyright registration cannot be used as a backdoor route to secure rights over a mark where trademark protection had not been obtained.

Key Points

- The Court held that the Copyright Act's safeguards under Section 45 are meant to prevent parties from indirectly monopolising disputed trademarks via copyright registration.
- The registration was also found to have been granted on the basis of an incorrect search certificate issued by the Trade Marks Registry, without notice to the party with a direct interest.



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