

NEWSLETTER



Delhi High Court: Registrar's Duty to Serve an Effective Renewal Notice Is Not a Mere Formality

The Delhi High Court (Rajinder Singh v. Registrar of Trade Marks, W.P.(C)-IPD 4/2026, decided by Justice Tushar Rao Gedela) allowed a writ petition and revived the proprietor's right to renew trademark no. 870775 – the 'B.P.R.' mark in Class 7 – after finding that the statutory renewal (Form RG-3/O-3) notice under Section 25(3) of the Trade Marks Act, 1999 had been sent to an address the proprietor's agent had left years earlier.

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Key Points

- The Registry argued that the proprietor never filed Form TM-16 (now TM-M) to formally update its address for service, but the Court noted the Registry had itself corresponded with the updated address for over a decade, including for hearing notices and the renewal certificate.
- The Court relied on its own ruling in Coldsmiths Retail Services (2026) to reaffirm that the Section 25(3) duty to serve an effective renewal notice rests squarely on the Registrar, and that mere dispatch to the proprietor's outdated address, without proof of delivery, does not amount to deemed service.
- Given the drastic consequence of losing a registered mark, the Court condoned a delay of roughly six and a half years in approaching it, while leaving a separate constitutional challenge to the restoration timelines under Rules 58(2) and 58(3) open for another day.

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Trade Marks Registry Launches Weekly 'Special Disposal Drive' for Settled and Withdrawn Opposition Matters

The Trade Marks Registry, by Public Notice No. TMR/Public Notice/2026/4546 dated 31 August 2026, announced a Special Disposal Drive to clear long-pending opposition proceedings where the parties wish to withdraw the application or opposition, or have reached an amicable settlement. Hearings run in hybrid mode every working Friday from 4 September 2026 through December 2026.



Key Points

- The drive is not a fresh contest on the merits of pending oppositions; it targets only matters the parties themselves no longer wish to fight, giving them a fixed near-term date to have the case formally closed.
- Hearings are arranged according to the filing year of the underlying trademark application, with parties required to submit supporting documents at least three days before their scheduled Friday.
- The notice warns that non-appearance or non-compliance on the scheduled date may result in the matter being decided ex parte or disposed of on the merits based on the Registry's existing record.

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CGPDTM Sets Final Deadline of 30 September 2026 for Mandatory e-KYC

The Office of the Controller General of Patents, Designs and Trade Marks (CGPDTM), by Public Notice No. CG/F/CGPDTM/DL-08/4547 dated 31 August 2026, extended the last date for completion of mandatory e-KYC for trademark and patent stakeholders to 30 September 2026, expressly stating that this would be treated as the final extension.

Key Points

- The deadline had already moved from its original date under Notice No. CG/F/CGPDTM/DL-07/3990 (9 July 2026) to 9 August 2026, then to 31 August 2026, before this final push to 30 September 2026.
- The notice states plainly that no further extension of the timeline shall be granted, putting agents, attorneys and applicants on final notice.
- Stakeholders who miss the deadline risk disruption in availing services of the Intellectual Property Office, making this a compliance item with real filing-continuity consequences.

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CGPDTM Warns Against Unauthorised Use of the Official IP India Logo and Insignia

The CGPDTM, by Public Notice No. CG/F/CGPDTM/DL-09/4590 dated 7 September 2026, flagged that individuals, agencies, corporate bodies, online legal-tech platforms and unauthorised service providers have been unlawfully using the official logo, emblem and design of the Indian Patent Office / Intellectual Property India on their websites, social media accounts, marketing collateral and paid digital advertisements.

Key Points

- The notice states that unauthorised reproduction of the IPO/DPIIT logo creates a false and misleading impression of official government endorsement, affiliation or recognition, thereby defrauding stakeholders and applicants.
- No person, business entity, digital platform, trademark or patent agent, or legal practitioner is permitted to display, replicate, adapt or use the official logo or DPIIT insignia in any medium, print or digital, including sponsored search advertising.
- The notice is a pointed caution to the many private trademark-filing platforms and legal-tech services that reference or mimic government branding to appear officially affiliated.

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ICANN's 2026 New gTLD Round Closes, Opening a Critical Window for Trademark Defence

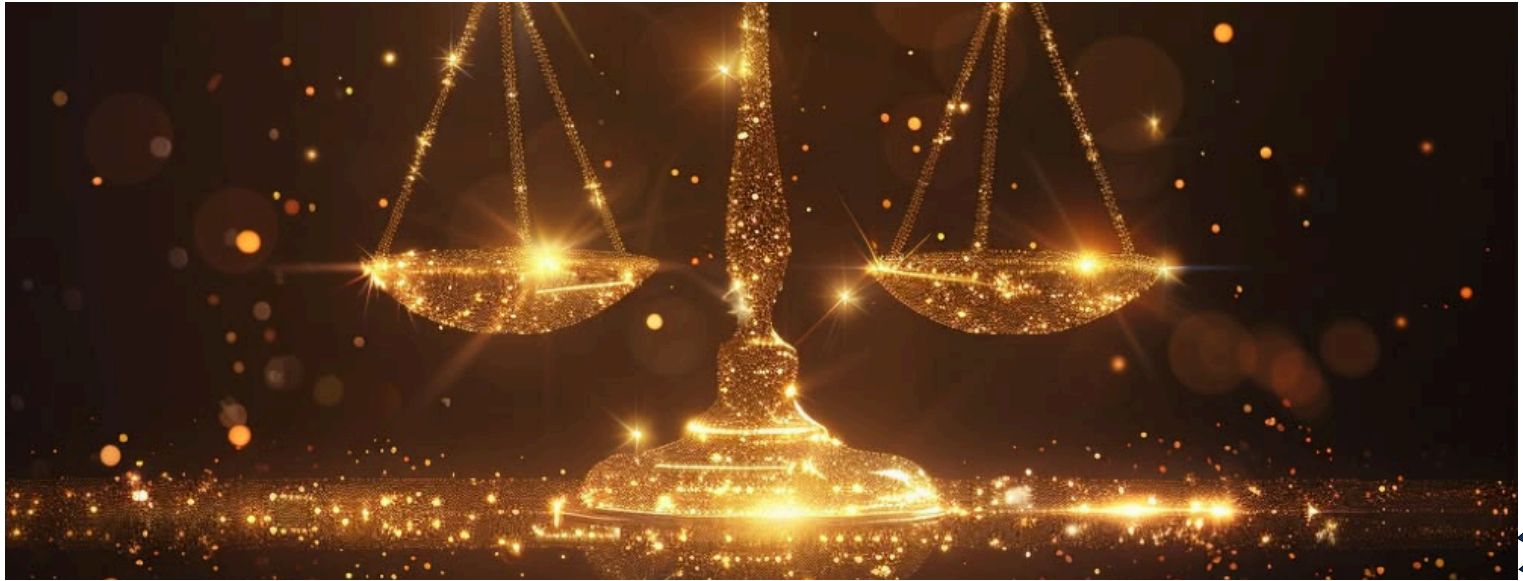
Following the closure of ICANN's 2026 new generic Top-Level Domain (gTLD) application window on 12 August 2026 – which drew more than 1,600 applications, including a significant number in non-Latin scripts – commentary published in the first week of September 2026 flagged the coming months as the critical period for trademark owners to protect their marks as the domain namespace expands for the first time since 2012.

Key Points

- Nine weeks after the close of applications, ICANN is due to publish the list of applications clearing the administrative check on 'Reveal Day', expected in October 2026, after which a short window opens for applicants to swap conflicting strings.
- Brand owners are being advised to record their marks with the Trademark Clearinghouse so that Sunrise-period protections and claims notices apply automatically once new extensions go live.
- With applications spanning generic, geographic and brand extensions, Indian companies and their counsel will need to budget for defensive monitoring across an expanded domain space over the coming months.



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Riyadh Design Law Treaty: What It Means for Indian Businesses Expanding Abroad

Commentary published on 9 September 2026 examined the implications of the Riyadh Design Law Treaty for Indian businesses seeking design protection overseas alongside their trademark portfolios, as India's design-filing practice increasingly intersects with international brand-protection strategy.



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Key Points

- The Treaty is aimed at harmonising formal requirements for industrial design applications across member states, reducing the procedural friction Indian businesses currently face when filing design protection abroad alongside trademark applications for the same products.
- For Indian companies, product packaging, bottle shapes and ornamental features are frequently protected through a combination of trademark and design filings as seen in the domestic 'HERO' engine-oil bottle-design litigation making streamlined international design filing directly relevant to overall brand-protection strategy.
- Indian IP practitioners are tracking whether and when India might accede to the Treaty, since accession would materially change the filing strategy for businesses currently pursuing design protection country-by-country.

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