

TRAILBLAZER

Legal & Compliance

# INTELLECTUAL PROPERTY NEWSLETTER

Policy Updates, Judgments & Insights

June 2025



## Overview

India's IP landscape witnessed significant developments over the past month, with courts and policymakers shaping the way forward for brand protection, innovation, and digital rights. A major highlight was the Delhi High Court's revival of Crocs' lawsuits against Indian footwear brands, reaffirming that common law rights through passing-off can coexist with registered design rights. This sets a precedent for brand owners to treat product design and shape as valuable IP, not just functional elements. Similarly, in a global-cultural flashpoint, Prada's new collection drew attention for closely resembling the GI-protected Kolhapuri chappals, sparking a broader conversation around cultural appropriation, design protection, and equitable recognition of traditional artisans.

On the policy front, the release of the Draft CRI Guidelines v2.0 signals a more structured approach to patenting software innovations, especially those involving AI and blockchain, while the proposed Copyright (Amendment) Rules, 2025 mandate digital payment methods for royalty transactions, boosting transparency in the creative economy. In education, Karnataka's Governor called for IP Centres in universities to drive grassroots innovation and IP awareness. Courts also stepped in to protect digital personality rights: the Delhi High Court ordered a takedown of deepfake content impersonating a public figure, reiterating the urgent need to regulate synthetic media.

In a notable trademark ruling, the Bombay High Court refused to recognize TikTok as a well-known mark in India, citing national security concerns tied to its ban, demonstrating how public interest and policy considerations influence IP recognition. Collectively, these updates underscore India's evolving IP ecosystem, where courts, regulators, and innovators are balancing legal enforcement with digital ethics, global sensitivities, and economic development.

## Delhi High Court Revives Crocs' Case Against Bata, Relaxo, Liberty & Others. What it Really Means for India's Design Industry?

### Design Infringement

Recently, the Delhi High Court brought Crocs back into the ring against Indian giants like Bata, Relaxo, and Liberty by reviving its passing-off suits. On the surface, this might look like another design fight over a popular clog shape. But dig deeper, and this decision signals a fundamental shift in how Indian courts are starting to approach design protection and brand identity.

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## Nurturing Innovation: Governor Gehlot's Call for IP Centres in Universities

### IP Centres

Karnataka Governor Thaawarchand Gehlot recently highlighted a crucial need: establishing dedicated Intellectual Property (IP) Centres in Indian universities. This initiative aims to address a significant strategic gap within India's thriving, yet often unprotected, startup ecosystem. Despite being the world's third largest startup hub, a disproportionately small number of these innovative ventures effectively leverage Intellectual Property Rights. This oversight creates vulnerability, hindering sustained growth and competitive advantage. Governor Gehlot's call aligns with the National IPR Policy, urging universities to evolve beyond traditional roles.

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## Kolhapuri Chappals and the Global Runway: IP & Cultural Dialogue

### GI Tags

Prada's recent Spring/Summer 2026 collection, featuring footwear strikingly similar to India's Kolhapuri Chappals, sparked significant debate. This incident underscores critical issues of intellectual property, cultural appreciation, and appropriation in global fashion. The Kolhapuri Chappal is more than just a sandal; it's a centuries-old craft with a unique cultural heritage, protected by a Geographical Indication (GI) tag in India since 2019. This GI signifies its origin and distinct qualities.

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## Draft CRI (Computer Related Inventions) Guidelines v2.0: A Thoughtful Evolution of Patent Framework

### Patents

The landscape of Computer-Related Inventions (CRIs) in India is continuously evolving, and the Office of the Controller General of Patents, Designs & Trade Marks (CGPDTM) recently published 'Draft Guidelines for Examination of Computer-Related Inventions (CRI), 2025', Version 2.0. This revised draft, which underwent public consultation, aims to provide much-needed clarity and consistency in assessing patentability of software-related inventions under India's Patents Act, 1970.

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## Delhi High Court orders takedown of YouTube channel using Anjana Om Kashyap deepfakes

### Deepfakes

The Delhi High Court has delivered another pivotal ruling against AI-generated deepfakes, ordering the swift takedown of a YouTube channel illegally impersonating renowned journalist Anjana Om Kashyap. This decision underscores the judiciary's firm stance on safeguarding personality rights and combating digital deception.

The case, initiated by TV Today Network Ltd. (Aaj Tak's parent company) and Ms. Kashyap, targeted a fraudulent YouTube channel. This channel, deceptively mimicking Ms. Kashyap's official online presence, leveraged her image and manipulated deepfake videos to spread content, exploiting her significant professional goodwill.

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## Bombay High Court's TikTok Ruling: National Interest Trumps Well-Known Status

### Well-known Trademark

The Bombay High Court recently delivered a noteworthy judgment concerning TikTok, upholding the Registrar of Trademarks' decision to deny "well-known" status to the popular platform's mark in India. This ruling offers a compelling insight into the interplay between trademark law and broader national interests.

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## Digital Horizon for Royalties: India's Draft Copyright (Amendment) Rules, 2025

### Copyright, Royalties

The Department for Promotion of Industry and Internal Trade (DPIIT) unveiled the Draft Copyright (Amendment) Rules, 2025, in June, proposing significant changes to royalty collection for certain creative works. This move signals India's intent to further digitize its intellectual property framework and enhance transparency in the copyright ecosystem.

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## Delhi High Court Rules Against AI Voice Cloning

### 'dynamic+' injunction

The case involved prominent spiritual leader Sadhguru (Jagadish "Jaggi" Vasudev), founder of the Isha Foundation, who sought legal recourse against the rampant misuse of his name, image, and distinct voice, which were being cloned by AI to create deepfake videos and audio for various deceptive purposes, including promoting fraudulent schemes and unverified products. The Delhi High Court granted a 'dynamic+' injunction, a powerful legal tool designed to combat rapidly evolving online infringements. This form of injunction doesn't just target identified perpetrators but also extends to future, unknown entities engaged in similar unauthorized activities.

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## Delhi High Court Unveils 'Superlative Injunction' to Combat Digital Piracy

### Superlative Injunction

The Delhi High Court has recently introduced and applied a powerful new legal tool, terming it a 'Superlative Injunction' to combat rampant online intellectual property (IP) infringement, particularly concerning real-time digital content. This development marks a significant escalation in the Indian judiciary's efforts to protect broadcasting rights holders against evolving piracy tactics.

This "superlative injunction" expands upon the already established 'Dynamic+' injunctions, offering even broader and more immediate relief. It has been notably granted to major broadcasters, most recently in cases involving the unauthorized streaming of live sports events, such as the FIFA Club World Cup 2025 and the India Tour of England 2025.

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