

The Trademark Lawyer

Issue 3 2025

GLOBAL REACH, LOCAL KNOWLEDGE
www.trademarklawyermagazine.com

 **Launch**
interactive document

The cat that got the cream: an interview with Desirée Russo, Trademark Counsel at PUMA Group

Desirée sits down with *The Trademark Lawyer* to share her journey into trademark law and discusses the unique challenges and rewarding experiences of working for a globally recognized brand.



Twenty-seven consecutive years
as the number 1
in Peru



The International Legal Alliance granted Barreda Moller
the Gold Award as the best Latin American IP Law Firm.

The Managing Intellectual Property magazine, the Latin Lawyer law directory,
the Legal 500 law directory and the World Trademark Review magazine
for twenty-seven consecutive years have selected
Barreda Moller as the number 1 IP law firm in Peru.

BARREDA
MOLLER

Av. Angamos Oeste 1200
Lima 15073, Peru
T (511) 2215715
mail@barredamoller.com
www.barredamoller.com



THE TRADEMARK LAWYER Issue 3 2025

Publishing Director

Chris Dooley
chris@ctclegalmedia.com

Publishing Sales Manager

Katie Kerr
katie@ctclegalmedia.com

Head of Digital

Ellen Peet
ellen@ctclegalmedia.com

Finance Director

Carla Dooley
accounts@ctclegalmedia.com

Subscription Enquiries

subscriptions@ctclegalmedia.com

Published by:

CTC Legal Media Ltd,
23 Hedgers Way, Kingsnorth,
Ashford, Kent TN23 3GN
Tel: +44 7718 278253

Design and Repro by:

Design and Printing Solutions Ltd
Suite 8 Jagow House,
Joseph Wilson Industrial Estate,
Whitstable, Kent CT5 3PS

Printed by:

Maxim Printing Services
79-89 Pentonville Road,
London N1 9LG

Whilst every effort has been made to ensure that the information contained in this journal is correct, neither the editor, contributors or CTC Legal Media can accept any responsibility for any errors or omissions or for any consequences resulting therefrom.
© CTC Legal Media 2020, and contributors. The contents of this journal are protected under the copyright law of the United Kingdom, the Berne Convention and the Universal Copyright Convention. Any unauthorised copying of the journal may be in breach of both civil and criminal law. Infringers will be prosecuted.

ISSN 2053-3829

CTC Legal Media

Editor's welcome



As digital landscapes continue to evolve, driven by influencer marketing, e-commerce, and emerging technologies, brand protection remains a top priority across industries, including in sportswear and fashion. In this issue, we speak with Desirée Russo, Trademark Counsel at PUMA Group, who offers valuable insights into managing a globally recognized trademark portfolio and the cross-border strategies PUMA employs to combat counterfeiting.

We take a closer look at key cases shaping the IP landscape, including the

“As digital landscapes continue to evolve, driven by influencer marketing, e-commerce, and emerging technologies, brand protection remains a top priority across industries.”

Supreme Court judgment in *Iconix v. Dream Pairs*, which addresses several foundational principles regarding the assessment of similarity and likelihood of confusion. We also delve into global trademark filing trends; the latest AI developments and challenges in various jurisdictions; key findings on copyright from the EUIPO's report on GenAI; Tencent's 2024 Weixin Brand Protection Platform Report; harmonizing IP protection with international standards; fair trademark enforcement in Russia; distinctiveness requirement for trademarks in Japan; strategies for overcoming trademark refusal in China; and how to market brand recognition.

Plus, find our Award Winning Law Firm rankings for The Americas, The Middle East, and Africa.

Enjoy the issue.

Ellen Peet, Head of Digital

Mission statement

The Trademark Lawyer educates and informs professionals working in the industry by disseminating and expanding knowledge globally. It features articles written by people at the top of their fields of expertise, which contain not just the facts but analysis and opinion. Important judgments are examined in case studies and topical issues are reviewed in longer feature articles. All of this and the top news stories are brought to your desk via the printed magazine or the website www.trademarklawyermagazine.com

Sustainability pledge

We pride ourselves on using a sustainable printer for our hard-copy magazines. Halcyon is committed to using only FSC-certified papers, the world's most trusted mark for sustainable forestry. FSC paper ensures responsible management of forests, and, verifying the use of recycled materials, the FSC system can help secure a long-term source of sustainable paper.

Contents

Issue 3 2025

6 Meet the Editorial Board

Meet our Editorial Board members who help determine the direction of this magazine.

7 Cover Story: The cat that got the cream: an interview with Desirée Russo, Trademark Counsel at PUMA Group

Desirée sits down with *The Trademark Lawyer* to share her journey into trademark law and discusses the unique challenges and rewarding experiences of working for a globally recognized brand.

13 (Double) diamonds are forever? A dream end for Dream Pairs as Supreme Court confirms no infringement of Umbro's trademark

Gill Dennis and Florian Traub of Pinsent Masons LLP delve into the pivotal trademark infringement case between Iconix and Dream Pairs, examining the Supreme Court's judgment on the visual similarity and potential consumer confusion surrounding the iconic 'double diamond' and the contested DP Sign.



18 Beyond the numbers: how global trademark filing trends reveal strategic shifts in brand protection

Robert Reading of Clarivate shares insight on the newly released Trademark Filing Trends 2025 report, highlighting the shift in trademark strategies driven by changing economic conditions and an increasingly competitive global landscape.

21 Charting the future: AI governance and legal innovation in India

Rachna Bakhru and Shipra Alisha Philip of RNA, Technology and IP Attorneys explore India's legislative frameworks designed to ensure the ethical deployment of AI, highlighting their limitations and examining recent court decisions that reflect a strong commitment to protecting IP from AI-related infringements.

27 Protecting generative AI creations in Mainland China

Zhenkun Fu of Corner Stone & Partners examines the extent to which AI-generated content qualifies as a "work" under China's Copyright Law, drawing on legal judgments that explore the criteria and circumstances for such protection.

30 From scraping to sharing: key findings on copyright from EUIPO's Report on generative AI

The Trademark Lawyer evaluates the EUIPO's recent report, *The Development of Generative Artificial Intelligence from a Copyright Perspective*, which highlights the need to ensure the copyright framework remains effective in response to the evolving role of AI as a creator, addressing key challenges and potential solutions for protecting intellectual property rights.

33 Key trends and IP developments in India

Safir Anand of Anand and Anand analyzes key trends shaping India's IP landscape, including the rise of AI, and examines how emerging challenges have led courts to expand the scope of IP protection.



39 Rankings: The Americas, The Middle East & Africa

10 of the best law firms from each of the top Americas, Middle Eastern, and African jurisdictions, including the Caribbean, Mexico, and North America.

27

51 Tencent's 2024 Weixin Brand Protection Platform Report reveals a bold stand against counterfeiting

The Trademark Lawyer reports on the release of Tencent's 2024 BPP report, revealing key findings alongside commentary from Head of Public Affairs and Global Policy, Danny Marti.

54 Harmonizing IP protection with international standards: comparing China and Vietnam's legislative and institutional reforms

Michele Ferrante of Ferrante IP offers a comparative analysis of legislative and institutional reforms in China and Vietnam aimed at aligning with international standards and Free Trade Agreements (FTAs), strengthening intellectual property systems, and enhancing trademark enforcement.

58 An equal playing field: fair trademark enforcement in Russia

Evgeny Alexandrov of Goroditsky & Partners addresses the concerns of foreign IP rights holders about protecting their trademarks under newly imposed sanctions, highlighting recent cases that illustrate Russia's continued commitment to safeguarding both domestic and foreign intellectual property.

62 Distinctiveness requirement for trademarks in Japan

Kazutaka Otsuka of Asamura IP offers insights into the distinctiveness requirement for trademark registration in Japan, using case examples to illustrate how courts have applied legal provisions to determine a lack of distinctiveness.

67 Strategies for overcoming similarity trademark refusal in China

Smile Hao, Trademark Attorney at Beijing Sanyou Intellectual Property Agency Ltd., examines the challenges of trademark registration in China, specifically focusing on the implications of Article 30 of the China Trademark Law and the factors that influence judicial determinations of similarity among goods and services.

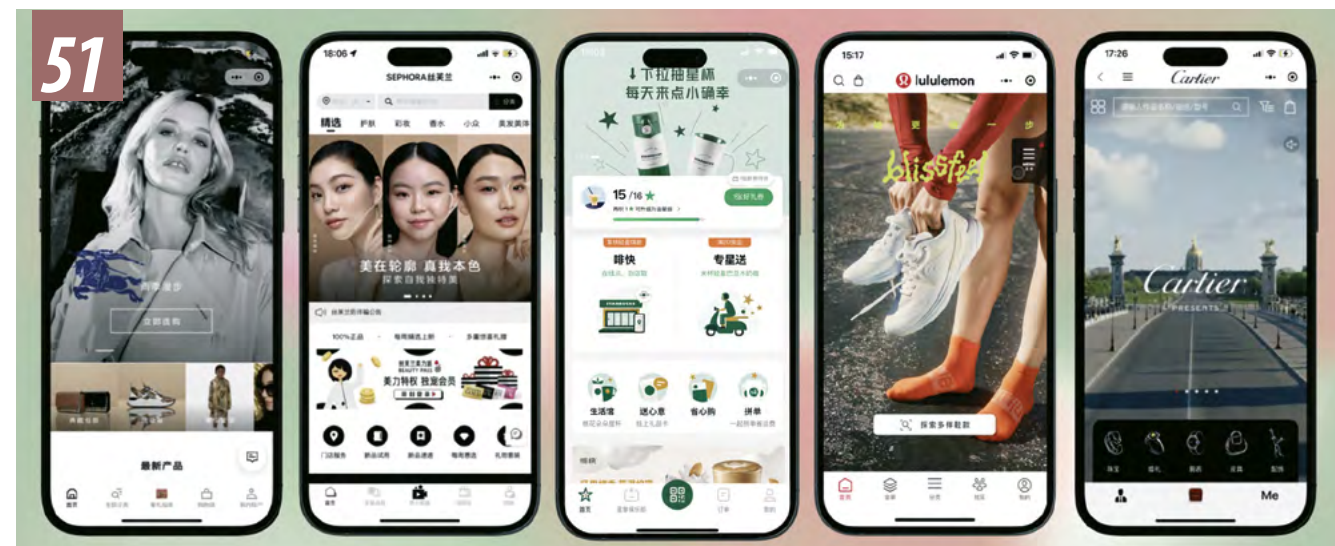
72 The brand trophy paradox: how to market brand recognition and avoid legal risk

Kyle-Beth Hilfer and Avanthi Cole of Cowan, Liebowitz & Latman offer guidance on navigating the delicate balance between utilizing awards and seals of approval to enhance brand recognition while adhering to IP laws.

76 Directory of services

An A to Z list of the international law firms who provide IP related services.

51





Francesco Bonini - Of Counsel, R.K. Dewan & Co. Italy.
Francesco has 28 years of experience in Italian and EU trademark and design prosecution. He has had successful cases in oppositions, appeals, and cancellations both before the EUIPO and the Italian PTO. Francesco has his office in Vicenza, in the North-East of Italy. He has been helping several Italian and foreign companies to protect their IP rights.



Enrique A. Diaz - Senior Partner, Goodrich Riquelme. Mexico
IP Latin American expert Enrique joined the firm in 1998, finished law school in 2001, and by 2010 he became the youngest lawyer to have ever been made senior partner in the firm's history. He is currently a foreign expert on Latin-American intellectual property, managing the prosecution of over 3500 trademarks and more than 1000 patents per year.



Catherine Hillaert-Prevost - Expert IP Strategist, Consultant & Advisor. Switzerland
Catherine has 35+ years' expertise leading IP strategies & portfolios in 160+ jurisdictions, and worked as French INPI Examiner, IP Counsel at law firms, Senior IP Counsel at major international companies Rhône-Poulenc, Rhodia, Nestlé, prior to being Global Head of IP & Anti-counterfeiting at Stoli Group for 12+ years. She now advises on IP protection, litigation, enforcement.



Misum Hossain - Founder & Head, Lincoln Legal Chambers. India
Misum has 21 years' experience in TM registrations, dispute resolution, & licensing. An alumnus of UCL, he advises clients for IP India, UKIPO, EUIPO, USPTO, IP AUS & CIPO. He has designed TM courses & mentored 2.5K+ lawyers. He pioneered Eastern India's first non-profit initiative on cyber IP (2006). Member of IPBA & Pharmaceutical Trademarks Group, & Ambassador for College of Legal Practice, UK.



Gang HU - Deputy General Manager, China Patent Agent (H.K.) Ltd. China
Gang is a senior Chinese IP specialist and practitioner. He is good at solving difficult and complicated trademark litigation and non-litigation cases. Some of the influential cases he handled were widely reported on by media, and recent IP litigation cases represented by him were awarded by the Supreme People's Court as the annual guidance cases.



Stacey C. Kalamaras - Founding Partner, Kalamaras Law Office, LLC. US
Stacey is the founding partner of Kalamaras Law Office LLC, an IP boutique providing full-service brand protection services to SMEs. Stacey spent most of her career in Big Law representing well-known brands in over 150 countries. Prior to law school, she worked as a marketing and advertising executive. Stacey is a devoted trainer of other lawyers, having trained more than 6,500 on brand protection topics since 2018.



Barbara Leitao-Johnson - Associate General Counsel, Intellectual Property, IABBB. Latin America/USA
Barbara is a US based Brazilian Trademark Lawyer, having worked in several large Brazilian IP offices. With an LL.M. from George Washington University, DC, and after working at the IP protection areas of Facebook Reality Labs and Corsearch, she is currently taking the position of Associate General Counsel for IP at the International Association of Better Business Bureaus.



Rachael Lodge Corrie - Partner, FOGA DALEY. Jamaica
Rachael Lodge Corrie is a Partner of Foga Daley with a passion for Intellectual Property law, focused on brand portfolio management, trademark prosecution, non-routine trademark matters and advertising law. She is an active member of the Jamaican Bar Association, INTA's Right of Publicity Committee and a member of the Women's IP Today Steering Committee.



Yasir Masood - IP Manager, Rouse & Co. Dubai
Originally from Germany, Yasir moved to Dubai in 2016 and spent several years with an international IP firm before joining Rouse in 2023. Specializing in trademark law, he advises diverse clients across the UAE and MENA region. His expertise includes trademark portfolio management, filing strategies, and prosecution. As an active member of INTA and other professional organizations, Yasir stays ahead of IP trends and best practices.



Chris Mitchell - Member, Dickinson Wright. US
Chris Mitchell, a member of Dickinson Wright, has practiced exclusively in the area of intellectual property law for over 25 years, handling trademark matters - from procurement to licensing and litigation - for clients throughout the world.



Santiago R. O'Connor - Managing Partner, O'Connor & Power. Argentina
Santiago is an attorney and trademark and patent agent advising domestic and foreign companies on local and international IP law in Argentina and across Latin America with extensive experience. He is the managing partner at O'Connor & Power in Buenos Aires, Argentina.



Peter Sloane - Partner & Co-Chair of the Trademark and Copyright Practice, Leason Ellis LLP. US
Peter Sloane is Partner and Co-Chair of the Trademark and Copyright Practice at Leason Ellis LLP, an IP boutique law firm in White Plains, New York. His practice includes trademark prosecution, U.S. and international, and federal court litigation.



Giovanni Visintini - Counsel, Troutman Pepper Locke. UK.
Giovanni provides global strategic advice on IP asset management, protection, exploitation, and enforcement issues. He enforced ground-breaking cases on non-traditional marks, particularly color marks, in various jurisdictions.



Charlotte Wilding - Partner, Keltie LLP. UK
Charlotte Wilding is a partner of the trademark practice at Keltie LLP. An expert in her field, she specializes in providing strategic IP advice, as well as the prosecution, maintenance, and enforcement of IP rights. Charlotte is also an active member of the International Trademark Association's Publication Committee.



Beata Wojtkowska - Partner, Kulikowska & Kulikowski. Poland
Beata is a practice-oriented IP specialist, focused on Client's needs. Beata's key areas of activity are trademarks, trade names, geographical indications, combating unfair competition, and managing disputes.



The cat that got the cream: an interview with Desirée Russo, Trademark Counsel at PUMA Group

Desirée sits down with *The Trademark Lawyer* to share her journey into trademark law and discusses the unique challenges and rewarding experiences of working for a globally recognized brand.



Can you share your journey into trademark law and what led you to your current role at PUMA?
My relationship with IP was love at first sight. I began my university studies with a bachelor's degree in Business Law for Enterprises and Institutions, which was EU-oriented. Initially, I didn't consider IP at all; I was focusing on EU institutions and human rights. During my master's degree in European Legal Studies, I participated in a legal clinic on the drafting of EU contracts. It was then that my interest in IP emerged, as my professor mentioned the EU directive on trade secrets, which I found very interesting. So, I shifted my focus from human rights to IP and wrote my master's dissertation on this EU directive.



After I graduated, I worked in two different IP firms in Turin before the opportunity arose to move to Alicante and participate in the prestigious LLM managed by the University of Alicante within the Magister Lvcentinvs Programme. Needless to say, Alicante is the core of IP in Europe, being the home of the EUIPO.

At the beginning, it was challenging because I had moved to Spain just a few weeks before the pandemic. But, despite the difficult moments, my love for IP and Alicante increased. After my master's, I was admitted to work at the EUIPO as a trainee for one year, where I had the amazing opportunity to work for the first Board of Appeal. Then, at the end of this training within the Pan-European Seal Program, I had to move to pursue further opportunities.

I saw a vacancy at PUMA as trademark counsel based in Germany, so I decided to apply with a bit of uncertainty because I was not fluent in German, nor am I from Germany, so I was unsure if my background was suitable. After a couple of days, my application was rejected. Shortly afterward, I received a phone call from a lady who spoke very quickly in German, and I only just understood that my application had been rejected by mistake... when she mentioned PUMA, I jumped to the ceiling because I was so excited to be considered.

After two positive interviews, my manager called me to offer me the job. It was the best news ever, and since moving to Germany, I've had the opportunity to travel a lot, meet exceptional colleagues all over the world, expand my network, and fall more in love with my job every day. I would do everything again from the beginning. I have no regrets, and I still love the job as much as I did on the very first day.

What does a typical day as Trademark Counsel at PUMA look like?

Every day is different and multifaceted, with many tasks throughout the day. Each morning, I start with a good chai latte in the cafeteria - from my very first day, this has been my treat! I start with the most urgent tasks, especially because I tend to arrive at the office very early, when there is no one there, as it's when I can focus better. When I revise drafts and prepare or amend agreements and letters of authorization, I need full concentration.

We have administrative tasks to comply with, such as preparing, submitting, and accepting invoices, checking the invoices, and preparing declarations of use, renewals, and new applications to be filed. During the day, I have several tasks to carry out, including traditional trademark prosecution, such as positions and cancellation actions.

After a day in the office, I often dedicate my

“
From
a strict
trademark
perspective,
one of
the main
challenges
we face
is having
PUMA
recognized
as a
well-known
trademark
worldwide.”

free time to investigating IP, deepening my knowledge, writing and reading articles, and preparing presentations for conferences. We are all very, very busy, but the environment is relaxed and cosmopolitan, so I have the chance to speak several languages in a day with people coming from all over the world. This keeps my mind very active and alive, so even if I'm exhausted at the end of the day, I'm still happy and enriched because of this variety.

Our office also allows pets, so we can have pet therapy sessions when a colleague brings a dog to the office! We share special moments and celebrations for birthdays, anniversaries, and so on. It's a very happy environment to work in, which is very important nowadays.

PUMA is a globally recognized brand – what are the unique challenges in managing its trademark portfolio across different jurisdictions?

Counterfeiting is number one, but this is more for our colleagues in the brand protection team. From a strict trademark perspective, one of the main challenges we face is having PUMA recognized as a well-known trademark worldwide. There are a lot of emerging PUMA-related marks that are applied for in different classes worldwide, for example, drilling machines, advertisements overseas, software, and gas stations – so, completely different sectors!

In some jurisdictions within the EU, some offices do not recognize the cross-class reputation of PUMA marks. What we are trying to achieve is a reputable status that can be applied in every single class that attacks PUMA marks. Why would a third party call its trademark PUMA if it is for drilling machines or ovens, for example? Why aren't they calling their trademark 'Iron' or 'Cat', for example? This is our main objective at the moment, and it requires time, effort, and investment because we must submit a lot of documents before the competent offices. During proceedings, a significant amount of evidence is to be put forward, and in some jurisdictions, it's hard to convince the authorities. Sometimes, authorities recognize our fame for clothing, but don't accept this across other classes.

Achieving a reputation from a legal point of view is our main goal, and we truly believe that it is important to educate not only consumers but also our colleagues from other departments about the importance of IP.

We also organize IP Days in our main offices worldwide to spread awareness about IP among our colleagues from marketing, design, and innovation departments. This underlines the importance of IP rights and helps to prevent misuse of our trademarks or unauthorized use of third-party marks.



Counterfeiting is a significant issue in the sportswear and fashion industry. What strategies does PUMA employ to protect its brand?

First of all, we need to be consistent. We tend to apply the same strategies worldwide and have a very strong team. The enforcement and brand protection team is the largest in our IP department, and our colleagues are located all over the world, including North America, South America, Europe, Asia, and the Middle East. Why? Because it's essential to tackle local problems with local colleagues and with authorities. This is fundamental for us. We interact with authorities, international organizations, and stakeholders. We need to be aligned on this strategy so that it can be carried out successfully. In some areas, particularly Asia and South America where the situation is more complex, our colleagues go directly to the centers of production or local markets and shops to carry out raids with the authorities. The presence of our colleagues is important.

Another important part of our job, as well as that of the brand protection team, is continuous monitoring activity, both online and offline. As you can imagine, online brand protection has become very important, so we have a strong task force of lawyers and colleagues monitoring e-commerce platforms and social media on a daily basis, 24/7. This is something that we are investing in.

“
We have
created,
organized,
and
participated
in customs
training to
increase the
awareness
of IP and
help the
authorities
better
identify
PUMA
counterfeit
goods.”

As part of our brand protection strategy, we organize training sessions with customs, as they are the direct point of contact for offline brand protection. When goods travel all over the world, customs officials are the first people to come into contact with the goods. We have created, organized, and participated in customs training to increase the awareness of IP and help the authorities better identify PUMA counterfeit goods.

Sponsorships and collaborations are a big part of PUMA's branding—how do you ensure proper IP protection in such agreements?

Since the beginning, PUMA has invested heavily in ambassadors, starting with the athletes who attended the Olympic Games when PUMA was still part of the original Gebrüder Dassler Schuhfabrik, when the two Dassler brothers were in a good relationship.

The management of ambassadors has undergone an evolution, and nowadays, the most important point for us is to help our ambassadors understand the importance of IP. We need to provide them with guidance on how to represent PUMA and better protect our trademarks and designs. It's important to have clear communication with our ambassadors and influencers on these requirements, particularly when promoting something online and on social media.

It's crucial that they know the basics of IP law.

For example, when an influencer or ambassador is using a shoe and the design of the shoe has not been disclosed yet, it's important to keep it as a secret. (If you know, you know!)

Let's not forget that ambassadors and influencers have different backgrounds, and it's rare that they have legal backgrounds, so they need to be educated. It's important to include all necessary clauses related to the protection of our IP portfolio in their contract, to communicate with them, and it's vital that they have clear communication with consumers. It's a bilateral relationship, not only between PUMA and the influencers but also between the influencers and the public, because they are the fil rouge between us and the customer. There needs to be loyalty and trust with the public. This is something that we really believe in.

We are also trying to expand the scope of our ambassadors and influencers, not only from the sports world but also from the music sector.

How do you navigate the challenges of protecting trademarks in new digital environments, such as influencer marketing and virtual goods?

With the rise of NFTs and new digital environments, we had to reconsider our strategy and evolve. As I mentioned, we are working to educate our ambassadors and influencers worldwide on the proper use of our trademarks and designs in digital environments.

We've also started new collaborations with e-game platforms.

As trademark counsel, one of the first things we did was file trademarks for NFTs. When a new phenomenon emerges, your IP portfolio will be affected. Therefore, for companies and trademark lawyers, it's essential to stay up-to-date with new market trends, both online and offline, as this enables you to better understand consumer needs.

Now, we've seen that NFTs are not a major trend anymore, but this is something that we are still working on because we need to prove use of our marks in digital environments.

Again, monitoring online marketplaces is crucial because counterfeit digital goods are often found there. The scope of infringement has expanded. It's important for our providers and legal representatives to be ready to take on new challenges and solve emerging problems.

What major trends do you see shaping trademark law and brand enforcement in the coming years?

Counterfeiting will always be the main priority, but maybe new types of trademarks will be considered. It's already possible to apply for sound marks, movement marks, and hologram

“
The management of ambassadors has undergone an evolution, and nowadays, the most important point for us is to help our ambassadors understand the importance of IP.”

marks. It's not possible to apply for smell marks because it's a purely subjective matter, but who knows in the future? Maybe some new marks will emerge, and further unconventional or untraditional marks will increase in importance. Offices worldwide will need to adapt to the demands of third parties.

Finally, artificial intelligence. Some authorities are already implementing AI methods to draft decisions and provisional refusals, and, as IP holders, it's a big challenge. In my view, you need a human being on the other side to understand human needs. When talking about IP in general, you are talking about creativity and innovation, the history of a brand, and the heritage of a brand. I'm sure that no matter the inputs you give to a machine, the machine will never understand or have a full picture of what IP truly is, as it doesn't feel. AI is helpful for sure, but we need to take a careful approach and not take advantage of the support.

How do you balance the need for brand enforcement with maintaining a positive brand image among consumers?

This is crucial for us because it's important, not only as PUMA but as a sports company, to maintain trust and loyalty with consumers. The public needs to trust us. Companies need to convey an optimistic image even if the company is facing challenges or undergoing economic problems, for example. It's important to maintain clear communication with consumers and to listen to consumer feedback. We have very strong customer service personnel listening, asking IP-related questions, and forwarding feedback – we're always ready to help and support.

Sometimes, we need to consider IP questions regarding the use of a PUMA mark. What if a student wants to use a PUMA logo in a dissertation or their research? We need to be open-minded and open to communication. When it comes to enforcement, it's important to have a proportionate response to infringement because you do not always have to use heavy-handed tactics. Your response should be proportionate to the infringement to maintain a good reputation.

We also need to act against similar trademarks that are tarnishing our reputation or are against morality and public order. Again, our strategy will always be proportionate, not exaggerated, and consistent worldwide. It's important to keep track of our cases and strategies, considering that times change, and so do we. Business strategies change, and we need to cope with these changes, but the most important thing is that we remain consistent with our goals and listen to consumer feedback. This is vital, as we exist because of the people who love PUMA.

In terms of quality, IP awareness is fundamental. I want to underline this point: consumers need to be educated about the risks of counterfeiting. It's not only harmful to the company and the business but, in some cases, to the health and safety of the consumer. It's important to preserve the quality of the products. If you're buying a fake good, you're buying something that can really harm you. We believe in the powerful messages conveyed by ambassadors and influencers. We are working in tandem with them.

What advice would you give to young legal professionals interested in an in-house career in trademark law?

I really like this question. It's vital to always keep the sparkle in your eyes, no matter your age or stage of your career. A strong legal background is necessary to understand the differences between common law and civil law systems, as well as the specific requirements in various jurisdictions. I'm not saying it's compulsory, but it's strongly recommended.

Knowing languages is fundamental because you will need to speak with representatives from all over the world, and some issues are better understood if you speak the native language of the jurisdiction. This has always been important to me.

You also need to be open-minded and ready to work with people from different cultures and backgrounds. An international and cosmopolitan

“
Consumers need to be educated about the risks of counterfeiting.”

mentality is helpful. Intercultural communication skills are crucial. I actually had training on this a year ago, which I found incredibly interesting because it opened my mind. This helps to understand a particular attitude or behavior, a lack of an immediate reply, or just some different ways of doing the same thing which can reduce friction.

You need to be up to date with the latest trends, jurisdictional evolution, new provisions, and the implementation of new laws worldwide. It's important to maintain local and cultural sensitivity with specific jurisdictions, for example, we are lucky to have colleagues from China, as they help us to understand the situation in their country.

Last but not least, one of my teachers during high school – we were in a Shakespearean theatre group – told me that in life, passion is the key; so no matter what your background is, how many languages you know, if you're passionate about what you're doing, you will never get bored and will always love what you do.



GOODRICH RIQUELME ASOCIADOS

MULTIDISCIPLINARY LAW FIRM OFFERING TAILORED
SOLUTIONS TO YOUR BUSINESS SINCE 1934.

COMMITTED TO
EXCELLENCE

CONNECTED TO
PEOPLE

ENRIQUE DÍAZ

TEL: +52 55 5525 1422

E-MAIL:

EDIAZ@GOODRICHRIQUELME.COM

GUILLERMO SOSA

TEL: +52 55 5207 7561

E-MAIL:

GSOSA@GOODRICHRIQUELME.COM

JUAN SUÁREZ

TEL: +52 55 5207 9261

E-MAIL:

JCSUAREZ@GOODRICHRIQUELME.COM

JULIO PRIETO

TEL: +52 55 5207 8183

E-MAIL:

JPRIETO@GOODRICHRIQUELME.COM

GOODRICHRIQUELME.COM

(Double) diamonds are forever? A dream end for Dream Pairs as Supreme Court confirms no infringement of Umbro's trademark

Gill Dennis and Florian Traub of Pinsent Masons LLP delve into the pivotal trademark infringement case between Iconix and Dream Pairs, examining the Supreme Court's judgment on the visual similarity and potential consumer confusion surrounding the iconic 'double diamond' and the contested DP Sign.

Trademark professionals and enthusiasts were treated to no less than three significant trademark decisions from the UK Supreme Court in 2024, and in late June 2025, we relished yet another. The Supreme Court handed down its decision in *Iconix Luxembourg Holdings SARL v. Dream Pairs Europe Inc & Anor*¹, a trademark infringement claim under s.10(2) of the Trade Marks Act 1994 ("TMA") concerning the use of rhomboid-shaped logos on sports footwear. The Supreme Court's ruling addressed several foundational principles regarding the assessment of similarity and likelihood of confusion. As expected, it was another judgment of consequence, adding to the increasingly rapid evolution of trademark law in this jurisdiction.

What was the dispute about?

Iconix is the owner of the 'Umbro' sportswear brand, represented by the 'double diamond' logo, which has been used on football boots and other active footwear since 1987. The logo is protected by two UK registered trademarks, No 991668 ('668') and No 903266459 ('459') (the "Marks").

668 is a series of two devices, registered in Class 25 for sports clothing:



“The similarity between 668 and the DP Sign was therefore “moderately high” once consumer imperfect recollection was taken into account.”

”

¹ Case ID UKSC/2024/0032
² [2023] EWHC 706 (Ch)

459 is a later device, registered in Class 25 for clothing and footwear:



In February 2019, Dream Pairs began selling football boots and other sports footwear branded with its "DP Sign" (shown below) on Amazon's UK platform. The DP Sign was protected as a UK-registered trademark. Commonly, the device was used alone without the words.



DREAM PAIRS

Iconix issued trademark infringement proceedings under s.10(2) and s.10(3) of the TMA.

Iconix loses at first instance

Mr Justice Miles in the High Court² rejected the s.10(2) claim (and the s.10(3) claim as well, although we focus below only on the s.10(2) issues that were appealed to the Supreme Court). On s.10(2), the live issues were the visual similarity between the Marks and the DP Sign (there

being no aural or conceptual element to either) and the likelihood of consumer confusion.

Miles J considered any visual similarity to be “very faint indeed.” Consumers would perceive the Marks as “flat, elongated diamonds,” whereas the DP Sign looked like a “tilted, broken square” with a distinctive and dominant P-shape in the middle. The similarity was very low, whether assessed at the point of purchase, based on images of the footwear on Amazon, or post-sale, with the footwear bearing the DP Sign in use.

Miles J also held that there was no likelihood of consumer confusion. Prior to sale, the Amazon images showed the DP Sign square-on, and there were explicit references to the brand name ‘Dream Pairs’ in the product information. Post-sale, Miles J was not persuaded that consumers would see the DP Sign, even with the footwear in realistic use, as any more than very faintly similar to the Marks.



Iconix victorious in the Court of Appeal

Iconix appealed³. The appeal focused only on infringement under s.10(2) TMA of the left-hand



Gill Dennis



Florian Traub

device in mark 668 (as also shown below – “668”).



The DP Sign was also considered without the inclusion of the ‘Dream Pairs’ wording.



Iconix argued that Miles J had failed to correctly assess both the similarity of 668 and the DP Sign and the likelihood of confusion in the post-sale context.

Giving the leading judgment, Lord Justice Arnold agreed. He held that the judge’s decision on similarity was rationally supportable so far as 668 and the DP Sign when viewed as a crisp graphic image were concerned, doubtfully rationally supportable so far as 668 and the DP Sign as affixed to footwear when viewed square-on were concerned but rationally insupportable so far as 668 and the DP Sign affixed to footwear when viewed from other angles was concerned.

He held that the average consumer, seeing the DP Sign for the first time affixed to football boots being worn by another, would not know what the DP Sign looked like when represented graphically. They may only see the DP Sign from head height, looking down at the wearer’s feet, at an angle, rather than square-on. Viewed in this “realistic and representative scenario,” the appearance of the DP Sign would be foreshortened, making it appear to the average consumer more like a double diamond and so more similar to 668 than in the graphic image. The similarity between 668 and the DP Sign was therefore “moderately high” once consumer imperfect recollection was taken into account. In light of this, Arnold LJ held that there was a likelihood of confusion on the part of a significant proportion of consumers and that Dream Pairs had infringed 668.

Appeal to the Supreme Court

On appeal by Dream Pairs, the Supreme Court provided much-needed guidance on two issues of general public importance in trademark law.

First, the Supreme Court confirmed that realistic and representative post-sale circumstances can be considered for the purpose of determining whether a registered mark and an allegedly infringing sign are similar, and if so, the degree of similarity. The assessment of similarity should not be confined to a consideration of the intrinsic



features of a side-by-side analysis of the mark and the sign, leaving out of account any realistic and representative viewing angles in the post-sale environment.

The Supreme Court reasoned that this conclusion was consistent with the CJEU’s decision in *Equivalenza*⁴ (which was persuasive assimilated law), that when assessing similarity, the “comparison must be based on the overall impression made by those signs on the relevant public.”⁵ Although that case was authority for the proposition that post-sale circumstances could not be used to rule out intrinsic similarities between the mark and the sign, it was not authority for the proposition that post-sale circumstances cannot be considered to establish (rule in) similarities.

The Supreme Court further reasoned that to hold otherwise would mean there would be no assessment of likelihood of confusion where there was no intrinsic similarity between the mark and the sign, even if there was similarity in the realistic and representative post-sale environment. This would run counter to the requirement for a global assessment, where there was even a faint degree of similarity. The Court was satisfied that no absurdity would result from this approach if the post-sale circumstances were restricted to those that were realistic and representative. Further, marketing conditions that counteract any similarity would be considered in the subsequent global assessment of likelihood of confusion.

On the second issue, the Supreme Court confirmed that any post-sale confusion considered in the likelihood of confusion assessment need

not affect or jeopardize the essential function of the trademark as a guarantee of origin at the point of a subsequent sale or in a subsequent transactional context. In other words, although post-sale confusion is indeed relevant to the assessment of likelihood of confusion, it does not require a claimant to show that a post-sale confused consumer themselves were influenced in their choice of goods or services or made a confused purchase or other transactional decision.

The Supreme Court reasoned that the inclusion in s.10(4) TMA of ‘uses’ of a sign that are remote from the point of purchase or transactional decision (and the lack of reference to the act of sale itself) was irreconcilable with any other conclusion. Illustrating the point by reference to the s.10(4) use of advertising, the Court held that it was “simply unsustainable to contend that ... advertising should not be actionable unless there was confusion at the point of purchase.” The Court discerned no reason in principle either for imposing such a limitation. There was no mention of this in TRIPS⁶ or in the Directives⁷. The Supreme Court was further satisfied that this finding was supported by relevant CJEU authority⁸ and, specifically, in *Canon*⁹, the CJEU had explained likelihood of confusion by reference to “the public” rather than “the purchasing public.” Overall, the Supreme Court held that damage to the origin function of a mark is complete if an average consumer is confused about the origin of the goods, and while other damage might arise from that (such as lost sales), no further damage is required.

Résumés

Gill Dennis, Senior Practice Development Lawyer

Gill is a qualified solicitor with 28 years of experience in brand protection. She provides knowledge support to the firm’s IP practice across the UK and Europe with a focus on the protection and enforcement of brands. Gill provides the team with up-to-the-minute information and training on IP developments and leads on the delivery of bespoke current awareness training for clients. Gill is highly regarded by both clients and colleagues for her excellence in legal know-how. She has written extensively for the main industry press and is regularly asked to comment on branding issues by the wider media.

Florian Traub, Partner

Florian leads the trademark and brand protection team at Pinsent Masons and has extensive experience in domestic and international filing, prosecution, and portfolio management. Florian acts on behalf of clients before the EU Intellectual Property Office, the International Bureau of WIPO, and the national offices in the UK, Ireland, and Germany. He has over 20 years’ experience as a trademark practitioner. He has also written and presented on many trademark topics and has a cross-jurisdictional perspective on trademark issues from his previous article editing role as Chair of the International Trademarks Association’s Bulletins Committee.



Dream Pairs ultimately victorious

Although Iconix was successful on both legal issues, the overall victory went to Dream Pairs. The Supreme Court held that the Court of Appeal was wrong to find the decision of Miles J irrational. He had begun with a side-by-side analysis of 668 and the DP Sign. However, he subsequently (and correctly) considered the separate and different

¹⁰ *Fage UK Ltd v Chobani UK Ltd* [2014] EWCA Civ 5 per Lewison LJ at para 114

¹¹ *Thatchers Cider Company Limited v Aldi Stores Ltd* [2025] EWCA Civ 5

effect of consumers seeing the DP Sign in use affixed to a boot in both his point-of-sale and post-sale reviews of the likelihood of the DP Sign causing confusion. He had not relied too heavily on a side-by-side comparison of 668 and the DP Sign. Further, he had given careful consideration to the post-sale consumer viewing the DP Sign on the side of a boot in actual use from above and at an acute angle, which were the correct, realistic, and representative circumstances. Although this had not changed his conclusions on faint similarity and no likelihood of confusion, this had not been an error of principle.

There was, therefore, no justification for the Court of Appeal substituting their own different view of the answer to the multifactorial question facing Miles J from that which he had reached. The Supreme Court readily acknowledged that while reasonable judicial views might differ on questions such as similarity and likelihood of confusion, the task was "not to form our own view" unless there was irrationality or an error of principle or law.

Dream Pairs' appeal was therefore allowed.

Comments

The ultimate result of no infringement in this case is questionable, and the decision therefore stands

as a stark reminder that the trial is "not a rehearsal... but the first and last night of the show."¹⁰

That aside, the Supreme Court's clarification of the legal issues, although welcome, raises some complexities. Although the relevance of post-sale confusion to s.10(2) TMA infringement is now well established, the wisdom of extending the post-sale environment into the prior assessment of similarity remains to be seen.

The immediate concern is the impact on clearance searching. Brand owners and their professional advisors must now thoroughly explore the manner in which a proposed mark is to be used and take a nuanced view on similarity based on multiple viewpoints, which could impact how consumers perceive the mark. This increases the scope for differences of opinion on similarity and dissimilarity, and the burden will be on brand owners to take a risk-based approach to deciding whether to proceed with a launch. The same difficulties will be encountered regarding opposition, cancellation, and infringement advice, and the scope for further trademark disputes to arise is clear. This may be compounded by a greater lack of consistency in judicial decisions, and the effects could be heightened if appeal courts, as in this case, are unable to intervene.

Contact

Pinsent Masons LLP

30 Crown Place,
Earl Street, London,
EC2A 4ES, UK

Tel: +44 20 7418 7000
www.pinsentmasons.com

The decision that a post-sale confused consumer need not themselves make a purchase must be correct; otherwise, we would simply be looking out for the classic point of sale confusion (albeit further down the purchasing chain), and arguably, the law would have made no further progress. There is a sense, however, that clarification regarding the nature and scope of post-sale confusion would be beneficial. For example, how long does it need to persist for? And how should it be demonstrated if the confusion is initially present but quickly dispelled?

The fact that Dream Pairs was ultimately victorious must not distract from the pro-brand owner nature of the Supreme Court's decision, particularly in the manner in which the Court was quick to distinguish *Equivalenza*. Could this be an indication of the UK courts flexing post-Brexit muscles to diverge from EU case law (albeit by adopting a literal interpretation of *Equivalenza* rather than departing from it)? Together with other recent pro-brand owner decisions the Supreme Court has helped position the UK as an attractive jurisdiction for brand owners seeking to enforce their trademark rights.

The Supreme Court has laid the foundations. We now await further judicial guidance on how consideration of the post-sale environment will be applied in practice.

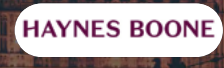
CTC Legal Events

WINTER INTELLECTUAL PROPERTY CONFERENCE

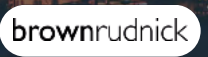
5-6 NOVEMBER, 2025
London Conference Centre, London, UK

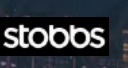
Sponsored by

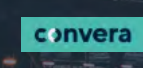
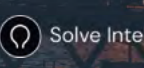








Scan here for more information and to purchase your ticket

www.patentlawyermagazine.com/winter-ip-conference-2025/



M. Sc. Konstantin Tahtadjiev

Bulgarian & European Patent Attorney (EQE qualified)
Bulgarian & European Trademark & Design Attorney

Invent hard, IP it smart

K

TAHTADJIEV

INDUSTRIAL PROPERTY

PATENTS

UTILITY MODELS

TRADEMARKS

INDUSTRIAL DESIGNS

We offer an individually tailored approach for getting the best possible protection for your business inventiveness and creativity in Bulgaria and Europe.

tahtad@ktpatent.com

www.ktpatent.com

Beyond the numbers: how global trademark filing trends reveal strategic shifts in brand protection

Robert Reading of Clarivate shares insight on the newly released Trademark Filing Trends 2025 report, highlighting the shift in trademark strategies driven by changing economic conditions and an increasingly competitive global landscape.

As brands expand across borders and digital platforms, understanding where, how, and why trademarks are filed has become essential for anticipating market shifts, identifying competitive threats, and crafting resilient IP strategies.

The newly released Trademark Filing Trends 2025 report¹ from Clarivate offers a holistic view of trademark activity across 10 major jurisdictions, revealing not just filing volumes but the deeper themes shaping global brand behavior.

Drawing on nearly a decade of data from the CompuMark SAEIGS database, the report uncovers how economic forces, geopolitical shifts, and evolving consumer markets are influencing trademark strategies worldwide.



Robert Reading

¹ <https://clarivate.com/intellectual-property/ip/trademark-filing-trends-report-2025/>

From surging foreign filings in the US to the soaring growth of brand creation in India, the findings offer a roadmap for IP professionals navigating an increasingly interconnected and competitive global landscape.

Jurisdictional filing divergence

One of the interesting takeaways from the report is the divergence in filing activity across jurisdictions. While some markets are experiencing steady growth, others are experiencing a multi-year decline. The US saw a 9.1% increase in total trademark filings in 2024, primarily driven by a 25% surge in foreign applications, particularly from Mainland China.

Meanwhile, India has quietly become the world's third most active trademark register, with over 537,000 filings in 2024 and a decade-long average growth rate of 10%.

In contrast, some traditionally strong jurisdictions (France, Japan, and Mainland China) have experienced consecutive years of decline. In Mainland China, filings dropped to their lowest level since 2018, though the jurisdiction still leads the world in total volume, with over 6.7 million applications in 2024. These shifts suggest a maturing of certain markets and a recalibration of brand strategies in response to changing economic conditions.

The rise of the global filing powerhouses

Companies like Procter & Gamble, Nestlé, Apple, L'Oréal, Novartis, LG Electronics, and Unilever consistently appear in the top 20 trademark

portfolios across multiple jurisdictions, but they are not simply filing extensively. Instead, they are strategically filing and tailoring their portfolios to local market dynamics while maintaining global consistency.

For these global brands, trademark filings are not just about protection; they are about positioning, signaling, and long-term brand architecture.

Foreign filings

While much attention is given to foreign brands entering new markets, the report reveals a more balanced picture in some regions. The UK, for instance, achieved a near-even split between incoming and outgoing trademark filings in 2024, reflecting its role as both a brand exporter and a magnet for international IP activity. Similarly, Canada and the EUIPO continue to attract significant foreign interest, with the US and Mainland China leading the charge.

Interestingly, the US remains the top destination for foreign filings, with over 233,000 applications from non-US entities in 2024. Chinese applicants alone accounted for more than 150,000 of these, possibly driven by e-commerce expansion and the need to secure brand rights in one of the world's most litigious IP environments.²

Strategic implications for IP professionals

For trademark attorneys and brand strategists, the implications of these trends are clear:

- A data-driven strategy is not optional. Filing trends reveal not just legal activity but market intent. Understanding where

“
The US saw a 9.1% increase in total trademark filings in 2024, primarily driven by a 25% surge in foreign applications, particularly from Mainland China.
”

Contact
www.clarivate.com

competitors are filing - and where they're not - can inform everything from product launches to enforcement priorities.

- Global coordination is key. As brands expand, so must their IP strategies. Coordinating filings across jurisdictions, managing local counsel, and maintaining portfolio coherence is essential for long-term brand equity.
- Expect the unexpected. The brand IP world is changing, and major players and jurisdictions continue to adapt and change. Keeping up with these trends is integral to successful brand growth.

The future of filing

As the global trademark landscape continues to evolve, one thing is certain: agility and insight will define the next generation of brand protection. Whether navigating the rise of filings in India, the digitalization of Chinese IP services, or the resurgence of foreign interest in the US market, trademark professionals must stay ahead of the curve.

By leveraging the insights of the Trademark Filing Trends 2025 report, IP professionals can move from reactive protection to proactive brand building, turning trademark data into a competitive advantage.

² <https://journeyz.co/most-litigious-countries-in-the-world/> - The United States is reputed to be both colloquially and the number one of dollars spent annually on lawsuits.



For nearly six decades,
GLP has been offering a complete range
of services for the **structured protection
of intellectual property**.

Our Clients range from artisans
to some of the Top Companies on the
Forbes 500 list, for whom we provide
initial consultancy and support in
lawsuits – both as plaintiff and
defendant – throughout the world.

The quality of our services,
commitment of our team and
ability to achieve our Clients'
highest objectives, led **GLP**
to be a world-class leader
in the IP business.

**Pushing
forward
the world's
greatest
innovators.**

Patents
Trademarks
Designs
IP Strategy
Online Brand Protection
Legal Actions & Contracts



**EUROPE'S
LEADING PATENT
LAW FIRMS 2025**

Financial Times & Statista ranked us top-tier in all six areas of industrial expertise:

- BIOTECHNOLOGY, FOOD & HEALTHCARE
- CHEMISTRY & PHARMACY
- MECHANICAL ENGINEERING
- ELECTRICAL ENGINEERING & PHYSICS
- MATERIALS & NANOTECHNOLOGY
- IT & SOFTWARE

MILANO

+39 02 54120878
glp.mi@glp.eu

UDINE

+39 0432 506388
glp@glp.eu

BOLOGNA

+39 051 328365
glp.bo@glp.eu

glp.eu

Other offices:
**PERUGIA
SAN MARINO**

Scan and
download our app
EU IP Codes

Get your
IP toolbox now!



Charting the future: AI governance and legal innovation in India

**Rachna Bakhru and Shipra Alisha Philip of RNA, Technology and IP
Attorneys explore India's legislative frameworks designed to ensure the
ethical deployment of AI, highlighting their limitations and examining
recent court decisions that reflect a strong commitment to protecting
IP from AI-related infringements.**

Artificial Intelligence (AI) is rapidly transforming industries and public services across India, with the sector projected to reach USD 28.8 billion by 2025 (Wheebox, India Skills Report 2024). While India currently lacks a standalone AI law, it is actively shaping a layered, risk-sensitive, and innovation-friendly regulatory ecosystem. Key frameworks, such as the Digital Personal Data Protection Act 2023, the National AI Strategy by NITI Aayog, and the Principles for Responsible AI, are laying the groundwork for the ethical and accountable deployment of AI. As AI applications expand into sectors such as healthcare, agriculture, fintech, and edtech, concerns about data privacy, algorithmic bias, deepfakes, and liability are intensifying. This article examines the evolving legal landscape and regulatory mechanisms that address these challenges and explores the path forward for comprehensive AI governance in India.

Legislative frameworks touching AI

A. Digital Personal Data Protection (DPDP) Act, 2023

The DPDP Act sets out rules for handling personal data, emphasizing consent-driven processing, limiting data use to specific purposes, and establishing a Data Protection Board for enforcement. While the DPDP Act was enacted in 2023, its implementation will be carried out through detailed subordinate legislation. In January 2025, the Ministry of Electronics and Information Technology (MeitY) released the Draft Digital Personal Data Protection Rules, 2025 for public comments.

As the DPDP Act applies to automated processing of digital personal data under Section 2(x) of the Act, it will likely extend to AI models trained on broadly collected personal data without proper safeguards. Under the Act, a 'data fiduciary' determines the purpose and means of processing personal data and is held responsible for security measures, lawful data retention, and report breaches, among other compliance obligations, while a 'data processor' acts only on the fiduciary's instructions. These responsibilities are especially



Résumés

Rachna Bakhru is a Partner at RNA, Technology and IP Attorneys, where she leads the Dispute Resolution team, specializing in IP enforcement and advisory. With over 25 years of extensive experience managing non-contentious and contentious IP matters, IT, and technology issues, Rachna’s expertise includes risk assessment, IP clearance, litigation, and alternative dispute resolution. She has managed portfolios for large international companies, particularly in the pharmaceuticals and information technology sectors, advising clients on IP infringement, information technology, trade secrets, data protection, and geographical indications.



Rachna Bakhru



Shipra Alisha Philip

Shipra Alisha Philip is an IP Attorney and Strategic Counsel with over eight years of extensive experience in intellectual property and technology laws. She advises a global clientele, ranging from *Fortune 500s* to startups, on IP acquisition, enforcement, monetization, and litigation. Recognized as one of the *Top 25 Emerging Women in IP* at the 2023 IP and Legal Confex (Dubai), Shipra also regularly contributes to top-tier publications like *Lexology*, *The Trademark Lawyer*, *Legal Era*, and *Managing IP*. Her work spans domain disputes, intermediary liability, and AI-related IP issues, with a focus on practical, cross-border strategies in trademark, copyright, and design law.

relevant for AI systems, which must be trained on unbiased, secure datasets. Entities should utilize privacy-enhancing technologies to mitigate risks such as data bias or tampering. Furthermore, entities classified as Significant Data Fiduciaries (SDFs) will have additional duties, including conducting regular algorithm audits, performing data protection impact assessments, and verifying that AI tools used do not harm data principals.

Where the law falls behind

- The DPDP Act does not apply to personal data that is publicly available, either shared by the individual or disclosed under legal obligation. Therefore, AI tools scraping such data from public sources are generally exempt.

“While India currently lacks a standalone AI law, it is actively shaping a layered, risk-sensitive, and innovation-friendly regulatory ecosystem.”

- It also excludes data used for research, archiving, or statistical purposes, as long as no decisions are made about specific individuals and processing follows prescribed norms.
- AI’s opaque processing and decision-making limits transparency, making it difficult to provide clear disclosures or obtain informed consent.
- The black-box nature of AI makes it difficult to clearly define who is a data fiduciary or processor. When multiple entities, such as tool developers and deployers, influence how personal data is processed, they may all be considered data fiduciaries. This blurs legal obligations, complicates compliance, and challenges transparency and consent obligations.
- The Act grants individuals the right to access, correct, and erase their personal data. However, enforcing these in AI systems, especially generative models, is challenging due to the black-box nature of operations, real-time processing, and the difficulty in tracing specific data. The inability to honor these rights may lead to legal non-compliance, underscoring the need for strong AI governance and safeguards.

B. Information Technology (“IT”) Act, 2000 & rules

Until the DPDP Act and its rules are implemented, the IT Act and the Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information) Rules, 2011, will remain in force.

The IT Act governs electronic transactions, cybersecurity obligations, intermediary liability, and content moderation. Although it was enacted before AI technologies came to the forefront, the IT Act addresses AI-related activities, such as automated content generation, bot-driven misinformation, and data misuse, to some extent, and holds platforms liable for failing to remove harmful AI-generated content. The relevant provisions of the Act are under:

- **Section 43A** applies to companies handling sensitive personal data. If AI tools process such data and fail to implement reasonable security practices, leading to a data breach, the company is liable to compensate affected users.



- **Section 66** covers computer-generated offenses, such as unauthorized access, data theft, and hacking that may involve or be committed through AI systems.
- **Section 66D** is relevant for AI tools like deepfakes or voice cloning. Misusing AI to cheat by impersonation is punishable under this provision.
- **Section 67** may be used to regulate AI-generated content that is obscene, offensive, or sexually explicit, including deepfake pornography or AI-generated adult imagery.

The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (IT Rules, 2021) regulate intermediaries, including social media platforms, digital news media, and over-the-top (OTT) services. Under these rules, intermediaries must ensure that their platforms do not host, display, or transmit unlawful content, which is particularly relevant for AI systems that generate content such as deepfakes or automated media.

As the IT Act and its supplement Rules do not contain specific provisions on AI, they are currently ill-equipped to tackle emerging and complex cybercrimes such as doxxing, cyberstalking, and online trolling, thereby limiting their effectiveness in addressing privacy concerns stemming from AI use.

C. Digital India Act, 2023

The Digital India Act is currently under consideration as the successor to the IT Act and is expected to

include provisions specific to AI. This upcoming legislation aims to govern emerging technologies such as 5G and block-chain, ensure alignment with related laws, reassess the safe harbor principle, mandate strict Know Your Customer (KYC) requirements for wearable devices, and enhance intermediary accountability for content violations.

Key policies and government initiatives

On March 15, 2024, MeitY released an advisory titled “Due diligence by Intermediaries/Platforms” under the IT Act and IT Rules,” superseding its previous advisory dated March 1, 2024. The updated advisory forms part of MeitY’s continued efforts to regulate AI models, software, and algorithms, particularly those used by digital intermediaries and platforms, and builds upon the guidance issued in December 2023. Under this new advisory, intermediaries and platforms are required to comply with the following obligations:

- They must ensure that the use of AI models, including large language models (LLMs) and generative AI tools, via their digital infrastructure does not allow users to create, upload, or share any unlawful content.
- The deployment or use of such AI systems must not result in bias, discriminatory outcomes, or actions that could undermine the integrity of electoral processes.
- If an AI tool is still under testing or considered unreliable, it should only be made accessible to users in India

“Entities should utilize privacy-enhancing technologies to mitigate risks such as data bias or tampering.”



“Although MeitY’s advisory marks progress towards responsible AI governance, its legal standing remains unclear.”

after it is clearly labeled to indicate its potential limitations or inaccuracies. Platforms should implement consent pop-ups or similar measures to explicitly inform users of the inherent fallibility of these AI outputs.

- Platforms must clearly communicate, through their terms of service and user agreements, the consequences of engaging with unlawful content. These may include content removal, account suspension or termination, and penalties under applicable legal provisions.
- If an intermediary enables the synthetic creation or alteration of content that may cause misinformation or deepfakes, it must ensure such content is labeled or embedded with permanent metadata to identify the source or user responsible.

Although MeitY’s advisory marks progress towards responsible AI governance, its legal standing remains unclear. With ambiguity around its enforceability, adherence may be voluntary unless supported by law or court orders. Yet, it indicates the government’s intent to move toward more formal AI regulation, possibly leading to a dedicated AI law.

The National AI Strategy, launched by NITI Aayog, focuses on critical sectors like health-care, agriculture, education, smart cities and infrastructure, smart mobility and transportation, and education. The strategy outlines several initiatives, such as:

- Promoting AI Research through the establishment of Centers of Research Excellence (COREs) for fundamental AI research and International Centers for Transformational AI (ICTAIs) for applied research, in collaboration with industry and global partners.
- Launching skilling and reskilling programs and integrating AI education across academic levels.
- Building foundational datasets and data/model marketplaces to boost innovation and support startups.
- Creating frameworks and ethical guidelines towards a Responsible AI to ensure safety, transparency, privacy, and accountability.

The National Data Governance Framework Policy (2022) aims to enhance government data management and support AI research by building a comprehensive dataset repository.

A government-appointed panel has been established to review the Copyright Act, 1957, to address challenges posed by generative AI under copyright laws.

These frameworks and policies are shaping India’s approach to regulating AI technologies.

Judicial perspectives on AI

In India, the judiciary has taken a cautious and evolving approach towards AI, reflecting both the opportunities and risks associated with its use. AI technologies in India are increasingly raising concerns over privacy, intellectual property, and personality rights violations, enabling the hyper-realistic replication of voices, images, and likenesses. The following cases highlight the court’s approach to AI-related violations.

The recent lawsuit (CS (Comm.) 1028/2024) by ANI Media Pvt. Ltd. (“ANI”) against OpenAI before the Delhi High Court involves claims of unauthorized use of ANI’s content to train ChatGPT, leading to false attributions. The case examines whether such use constitutes infringement or falls under fair use, with territorial jurisdictional complexities arising from OpenAI’s servers being based in the US and is currently pending adjudication.

The Delhi High Court, in *Anil Kapoor v. Simply Life India & Ors.*, CS(COMM) 652/2023, upheld Anil Kapoor’s personality rights against the unauthorized use of his image, voice cloning, morphed videos, and fake domain names, emphasizing the risks associated with such misuse.

Similarly, in *Arijit Singh v. Codible Ventures LLP*, COM IPR SUIT (L) 23443/2024, the Bombay High

Court addressed AI voice cloning, unauthorized merchandise, and false event associations, ruling that commercial exploitation without consent is not permissible, even in the context of free speech.

Recently, in *Dr. Devi Prasad Shetty v. Medicine Me*, CS (Comm.) 1053/2024, the Delhi High Court safeguarded the personality rights of renowned cardiac surgeon Dr Shetty against deepfakes, directing platforms like Meta and Google to block infringing content and disclose the offenders.

These cases reflect the Indian courts’ commitment to protecting rights against evolving AI-based abuses, ensuring that individuals retain control over their identity and intellectual property.

Global cooperation

In February 2025, India co-signed the India-France Declaration on Artificial Intelligence at the AI Action Summit co-hosted with France. The declaration aims to promote AI development that is open, ethical, transparent, sustainable, and inclusive, ensuring it benefits both people and the planet. India played a key leadership role, emphasizing the importance of open-source AI models, clean energy integration, and workforce upskilling. As a concrete outcome, the Public Interest AI Platform and Incubator have been launched to support digital public

“The Public Interest AI Platform and Incubator have been launched to support digital public goods and reduce global inequality.”

goods and reduce global inequality. This move reaffirms India’s commitment to responsible AI governance, aligning with both international collaboration and India’s development priorities.

Way forward

India stands at a pivotal moment in shaping the future of AI. By proactively developing thoughtful legislation that addresses privacy, ethics, and intellectual property, the country can foster innovation while ensuring responsible use of AI technologies. Embracing this opportunity will not only safeguard citizens’ rights but also position India as a global leader in inclusive and visionary AI governance.

Contact
RNA, Technology and IP Attorneys
401-402, 4th Floor, Suncity Success Tower,
Sector - 65, Golf Course Extension Road,
Gurgaon - 122 005,
National Capital Region (Haryana), India
Tel: +91 124 4296999
info@rnaip.com
www.rnaip.com

“Feeling gratitude and not expressing it is like wrapping a present and not giving it.”
— William Arthur Ward



For the last 20 years, RNA has been on an incredible journey of handling some of the most complex and interesting issues in the Intellectual Property landscape.

As we celebrate our 20th anniversary, we want to take a moment to express our deepest gratitude to all who have been an integral part of this incredible journey.

- To our clients (aka business partners, aka friends), thank you for your trust and continued support.
- To our friends, thank you for always being there with encouragement and guidance.
- To our dedicated staff, your hard work and commitment have been the backbone of our success.
- To our vendors, thank you for your reliable service and partnership.

Each of you has contributed to our growth and achievements over the past two decades, and for that, we are truly grateful.

www.rnaip.com

Protecting generative AI creations in Mainland China

Zhenkun Fu of Corner Stone & Partners examines the extent to which AI-generated content qualifies as a “work” under China’s Copyright Law, drawing on legal judgments that explore the criteria and circumstances for such protection.

Résumé

Zhenkun Fu is a leading intellectual property law practitioner with over 25 years of experience in prosecuting trademark and patent infringement, unfair competition, and anti-counterfeiting cases. His work with *Fortune 500* companies has resulted in the recovery of millions of dollars in damages. As a leading IP litigator, having managed thousands of lawsuits, Zhenkun’s groundwork and strategic insight, coupled with his exceptional working relationships with enforcement authorities at national and local levels, makes him a key leader in intellectual property enforcement in China.



Zhenkun Fu

Generative artificial intelligence (AI) is an AI system that can generate text, images, or other media in response to Prompt Engineering, such as ChatGPT. Users can interact with AI through dialogues or other means to give instructions, and AI can generate certain content based on the instructions.

Whether AI-generated content qualifies as a “work,” as stipulated in the Copyright Law, is still controversial in academia and judicial practice. The following will clarify the existing theories and practical perspectives by examining two cases with the most representative judicial opinions.

(1) The first copyright dispute involving AI-generated content

The civil judgment of the Beijing Internet Court [Case No.: (2023) Jing 0491 Civil First Instance No. 111279] is China’s first copyright infringement case involving AI-generated text-to-image works. The ruling recognized the “work” attribute



VDAV is globally known for its excellence regarding all IP matters. Our trademark and patent services are rendered by professionals with technical knowledge and attorneys at law.

Phone: + 55 21 3176-6530 | **Fax:** + 55 21 3176-6528
Address: Rua da Assembléia number 10 offices 2422 - Centro, Rio de Janeiro - RJ, Brazil
CEP: 20011-000
Email: mail@vdav.com.br | **Website:** www.vdav.com.br



of AI-generated images and the "creator" status of the user. The facts of the case are as follows:

- The Plaintiff used the open-source software StableDiffusion to generate the disputed image by inputting prompts and later published it online.
- The Defendant used the image in an article published on Baijiahao (a content platform) for commercial purposes without the Plaintiff's permission.
- The Plaintiff believes that the Defendant infringed their rights of authorship and rights of communication to the public through information networks.

The focus of the dispute in this case is whether the AI-generated image constitutes a "work," whether the Plaintiff benefits from the copyright of the image, and whether the alleged behavior constitutes infringement. The Beijing Internet Court held that the Plaintiff had invested intellectual effort in the process, from conceptualization to selecting the final image, including designing the character's presentation, choosing prompts, arranging their sequence, setting parameters, and determining which image met their expectations. The disputed images demonstrate the Plaintiff's intellectual contribution, which meets the essential criterion of "intellectual achievement."

Regarding the disputed images, they exhibit identifiable differences from prior works. Regarding the image-generating process, the Plaintiff designed visual elements such as characters and their presentation through prompt words

The court held that whether the disputed image qualified as a "work" depended on whether it represented the user's original intellectual achievement.

and configured parameters for composition and layout, which reflects the Plaintiff's selection and arrangement. Furthermore, after generating the initial image by inputting prompts and setting parameters, the Plaintiff continued to refine the prompts and adjust the parameters through iterative modifications, ultimately obtaining the disputed image. This iterative refinement process reflects the Plaintiff's aesthetic choices and personal judgment. Consequently, the court ruled that the disputed images satisfy the requirements of "originality" and "intellectual achievement" under copyright law, thereby granting them copyright protection.

(2) China's first ruling denying copyright protection for AI-generated content

On April 17, 2025, the Suzhou Intermediate People's Court upheld the Zhangjiagang People's Court's first instance ruling that "content primarily auto-generated by AI drawing software should not be recognized as a work" in its second instance judgment. The court consequently determined that the Defendant's actions did not constitute copyright infringement or unfair competition. This case represents China's first judicial precedent that AI-generated content does not constitute "works" and that the Defendant's use of such material does not constitute copyright infringement. The essential facts of the case are as follows:

- The Plaintiff claimed that their AI-generated artwork was copied by the Defendant for production and sales, constituting copyright infringement and unfair competition.
- The court held that whether the disputed image qualified as a "work" depended on whether it represented the user's original intellectual achievement. Originality requires that a "work" be independently created by the author and reflect the author's individualized expression, including aesthetic choices and personal judgment during the creative process. The user should provide original records of the creative process to prove how they modified, selected, or refined the initially generated images by adjusting prompts and parameters, thereby making personalized selections and substantive contributions to the expressive elements.
- However, the Plaintiff failed to submit such original records, which resulted in a lack of evidence to support their

choices and modifications, and the Plaintiff's intellectual investment could not be sufficiently demonstrated. Thus, the images lacked the requisite originality for copyright protection.

(3) Analysis of perspectives

According to Article 3 of the Copyright Law of The People's Republic of China, the term "works" refers to intellectual creations in literature, art, and science that possess originality and can be expressed in a certain form. Thus, determining whether content can be qualified as "works" requires consideration of four elements:

- 1) Whether it belongs to the fields of literature, art, or science
- 2) Whether it possesses originality
- 3) Whether it can be expressed in a certain form
- 4) Whether it constitutes an intellectual achievement.

As the first and fourth elements do not pose significant barriers to qualify the AI-generated content, the focus lies on originality and intellectual achievement.

Originality involves two aspects:

- 1) Whether the work was independently produced by the author
- 2) Whether the work meets the minimal degree of creativity required for a work.

Independent creation can be proved by objective evidence of the creative process. As for the minimal creativity required for copyright protection, even when some elements originate from the public domain, the "work" may still qualify as the author's original expression, provided it demonstrates the author's personalized selection, arrangement, or adaptation.

Intellectual achievement includes "intellectual investment" and "manifested output." In generative AI applications, "intellectual investment" is primarily reflected in the user's input of prompts and selection of generated results. However, there are currently no clear stipulations regarding how many rounds of modifications are required or what degree of precision in prompt input is necessary to determine whether the standard of intellectual investment has been met.

Existing cases suggest that the user's intellectual investment during the content-generating process is decisive, and the original creation records constitute critical evidence. If the user can

Even when some elements originate from the public domain, the "work" may still qualify as the author's original expression, provided it demonstrates the author's personalized selection, arrangement, or adaptation.

reproduce their creative process or provide creation records to demonstrate intellectual investment during the creation process, including parameter adjustments, design conceptualization, and prompt selection, then the generated content can be protected by copyright. Judging from existing cases, most Chinese courts have adopted a relatively lenient stance regarding the recognition of copyright for AI-generated content. If the user can prove that they have performed multiple modifications and selections and determined the result, which reflects the role of human intelligence, the content can be recognized as a "work."

However, some argue that the generated content should not be granted copyright protection regardless of how complex the human-provided instructions may be. As users lack complete control over generative AI in areas not explicitly regulated by the prompts, the generative AI's autonomous recognition and operation mechanisms may freely create content to fill gaps, which may be inconsistent with originality requirements. Moreover, even when different users make different selections, it could generate identical or similar works. Copyright law protects expression rather than ideas or facts. Content co-created by humans and AI often reflects the originality of ideas rather than the originality of expression. In many cases, it becomes impossible to distinguish between AI-generated and human-original expressions.

Although the mainstream trend is to recognize the copyrightability of AI-generated content, the absence of sufficient regulatory principles and objective standards still requires judges to exercise discretion through the free evaluation of evidence, which may lead to significant variations in case-specific rulings. The fundamental principle is that judges must examine, on a case-by-case basis, the intellectual labor invested by the creator and the work's formative process and assess the proportional contribution of the creator's intellectual labor to the work before rendering a comprehensive determination. Protection is the trend, but outcomes vary by case.

Contact

Corner Stone & Partners

1301-1303, Air China Century Plaza,
No.40 Xiaoyun Road, Chaoyang District,
Beijing 100027, China

Tel: +86 10 84464600

www.cornerstoneip.com.cn/en

From scraping to sharing: key findings on copyright from EUIPO's Report on generative AI

The Trademark Lawyer evaluates the EUIPO's recent report, *The Development of Generative Artificial Intelligence from a Copyright Perspective*, which highlights the need to ensure the copyright framework remains effective in response to the evolving role of AI as a creator, addressing key challenges and potential solutions for protecting intellectual property rights.

Copyright Law has never been stagnant. The continuous evolution of technology has altered the parameters of creativity, prompting copyright law to adapt and keep pace with the changing times. Generative artificial intelligence (GenAI), however, is not just the next rung on the copyright ladder; it is calling into question key aspects of the copyright framework, such as the origin and use of existing works where the waters have been muddled.

Innovation still needs protection, irrespective of how it was created. But how do we – or perhaps, how should we – protect innovation in a paradigm where machines are creators? How is GenAI using copyrighted content? How can copyright holders reserve their rights?

These, among others, are questions recently addressed by the EUIPO in its report on *The Development of Generative Artificial Intelligence from a Copyright Perspective*¹ (the Report) in pursuit of clarifying “how GenAI systems interact with copyright – technically, legally, and economically.” The study behind the report examined how copyrighted works are being used by training models, the applicable EU framework, the reservation of rights and opt-out mechanisms, and technologies to mark or identify AI-generated outputs.

Background context

GenAI and Large Language Models (LLMs) now have the ability to produce synthetic text, code,

image, audio, and video content based on end-user inputs, which has prompted the necessary evaluation of existing legal frameworks by policy-makers. The Report provides a technical and legal analysis regarding the development of GenAI from the perspective of EU copyright law, aiming to provide solutions focused on a) the reservation of copyright holders' rights by AI developers, and b) ensuring that the works generated through these AI services are detectable in a machine-readable format.

Generative AI input findings

One of the largest concerns when it comes to the use of copyrighted works for the training of AI models is web scraping, the automatic extraction of data or content from websites to then analyze and produce the desired information. GenAI requires up-to-date information to perform at its best; many models use Real-time Augmented Generation (RAG) technologies to retrieve information in real-time and build up an answer, including the use of copyrighted works.

The EUIPO report sets out:

“In the EU, two legal instruments are particularly relevant for framing the implications of GenAI developments from a copyright perspective: **The Copyright in the Single Market Directive** (CDSMD Directive) creates a legal framework

for ‘text and data mining’ (TDM). [...] **The EU Artificial Intelligence Act (AI Act)** sets out a regulatory framework for AI technologies in the EU, with specific obligations on the providers of general-purpose AI (GPAI) models.²”

Of particular significance is that Article 4 of the CDSMD allows rights holders to opt-out to prevent the use of their content by AI models. Due to the now common practice of web scraping, many rights holders are, indeed, opting out. This is causing friction with AI developers due to concerns about insufficient data for training purposes. The Report compares a set of existing measures, highlighting that the Robots Exclusion Protocol (REP) currently in use is non-optimal due to “limited granularity and use-specificity,” and the lack of a single opt-out mechanism is resulting in a shortfall, which is leaving stakeholders combining legally driven and technical measures in an attempt to bridge the protection gap. However, it was also found that “Stakeholders on both the right holder and GenAI development sides of the TDM process generally seem to support increased efforts for standardisation of rights reservation measures, as well as the flexibility to incorporate multiple measures to adapt to different use cases.”³ which suggest a positive trajectory toward a solution.

Generative AI output findings

The study also examined available solutions for identifying and disclosing the nature of synthetic content, including provenance tracking, detection measures, and content processing solutions. The Report presents a comparative analysis of the advantages and limitations of the reviewed generative transparency measures.

Key findings

Crucially, the Report identifies and demonstrates the complexities of copyright in this new era of GenAI from both a technical and legal perspective. It has set the foundation for the issues that should be addressed in the EUIPO Copyright Knowledge Centre, set to launch at the end of 2025. The Centre is being developed to provide comprehensive information resources for copyright holders to help them “to understand how their content may be used by GenAI and the solutions at their disposal to reserve their rights.”⁴

While many rights holders are choosing to opt out, the Report does identify the emergence of a direct license market, which could drive new revenues for the creative sectors while protecting copyright from both an input and output standpoint.

Further, the Report emphasizes the importance of accurate information for the effective application

“While many rights holders are choosing to opt out, the Report does identify the emergence of a direct license market.”

and enforcement of copyright from both the rights holders' and AI developers' perspectives. This transparency is vital for correctly identifying the origin and permissible use of works.

It is clear that the current copyright framework needs to remain effective to tackle the swelling complexities developing alongside GenAI. Upon the findings of this Report, the EUIPO Copyright Knowledge Centre is poised to deliver long-awaited guidance.

¹ European Union Intellectual Property Office. *Development of Generative Artificial Intelligence from a Copyright Perspective*. EUIPO, 2025. Web. Accessed June 2025. <https://www.euipo.europa.eu/en/publications/genai-from-a-copyright-perspective-2025>

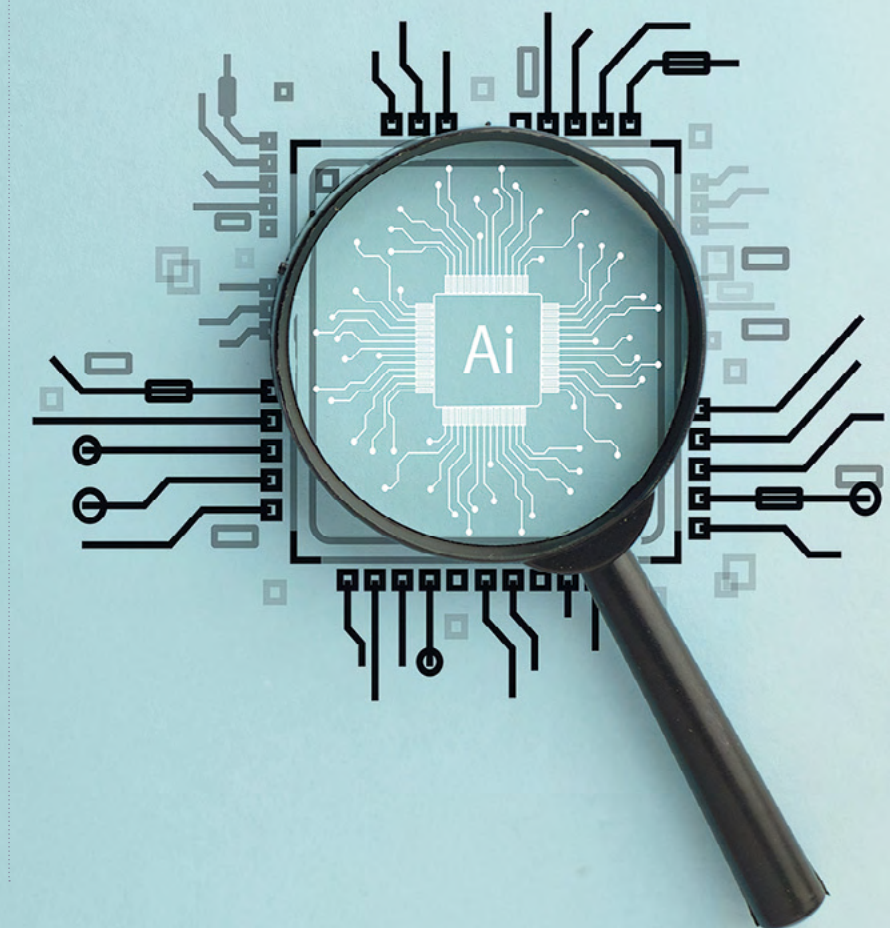
² *Id.* Page 12-13.

³ *Id.* Page 16.

⁴ European Union Intellectual Property Office. *Executive Briefing: Development of Generative Artificial Intelligence from a Copyright Perspective*. EUIPO, 2025. Web. Accessed June 2025, Page 10. <https://www.euipo.europa.eu/en/publications/genai-from-a-copyright-perspective-2025>

Contact

www.euipo.europa.eu





ANAND AND ANAND

PRACTICE AREAS

Patents | Litigation and Dispute Resolution | Trademarks | Designs

Art and Antiquities | Competition | Antitrust | Compliance | Regulatory

Plant Variety | Biodiversity | Contractual and Commercial IP | Copyrights

IT law and Domain name disputes | Sports law | Fashion and Luxury law

Media and Entertainment law | Licensing and Franchising | Advertising law

Anti-Counterfeiting | Criminal law | Customs and Border Enforcement

Artificial Intelligence | Customs | Digital Personal Data Protection

+91-120-4059300 | +91-120-4243056 – 058 | email@anandandanand.com | www.anandandanand.com

NOIDA | NEW DELHI | MUMBAI | CHENNAI | BENGALURU

Key trends and IP developments in India

Safir Anand of Anand and Anand analyzes key trends shaping India's IP landscape, including the rise of AI, and examines how emerging challenges have led courts to expand the scope of IP protection.

Indian courts and policymakers have pioneered and enhanced protection against several emerging IP challenges while continuing to develop traditional protection mechanisms. As artificial intelligence (AI) technologies advance and digital platforms become more prevalent in commercial activities, the legal framework has adapted to address new forms of disputes and protection requirements.

Recent judicial decisions have addressed personality rights in the context of AI-generated content, while trademark registrations have



Safir Anand

expanded to include non-traditional marks. The establishment of specialized IP divisions and the introduction of digital grievance platforms represent administrative improvements alongside proposed legislative reforms aimed at strengthening various aspects of IP protection.

Courts have also adapted their approach to digital commerce issues, cross-border reputation matters, and evolving forms of brand competition. The following analysis examines the key trends that have developed, providing insights into how these changes may influence India's IP framework in the future.

Résumé

Safir Anand is a senior partner and head of trademarks, contractual, and commercial IP at Anand and Anand. He is recognized as one of India's top IP attorneys, with nearly 30 years of experience advising and representing clients from diverse industries. Safir's strategic insights, blended with an astute understanding of IP law, make him one of the most sought-after lawyers of his fraternity, providing wholesome solutions to multidimensional business requirements, including brand creation, valuation, risk mitigation, licensing and franchising, corporate taxation, brand protection from dilution, commercialization and monetization, and due diligence.

Personality rights in the age of AI

The convergence of AI and personality rights has emerged as one of the most significant developments in India's IP space. In *Jackie Shroff v. The Peppy Store & Ors.*, the Delhi High Court addressed the unauthorized commercial use of the actor Jackie Shroff's name, image, and persona across merchandise, parody videos, and an AI-powered chatbot that mimicked his voice and mannerisms. The court recognized his publicity and personality rights and granted ad-interim injunctions against several platforms and individuals. It also directed



“

In *Anil Kapoor v. Simply Life India & Ors.*, the court similarly protected the actor's name, likeness, voice, and iconic catchphrases from unauthorized use across GIFs, digital goods, and AI-generated content.

”

telecom and internet service providers to block infringing URLs, including pornographic content that misused his identity.

In *Anil Kapoor v. Simply Life India & Ors.*, the court similarly protected the actor's name, likeness, voice, and iconic catchphrases from unauthorized use across GIFs, digital goods, and AI-generated content. The court observed that personality rights extend to digitally reproducible traits and restrained such use without consent. These decisions reflect a clear judicial response to the unauthorized digital appropriation of identity, particularly through the use of AI tools.

Brand disparagement in the digital era

The digital marketplace has transformed how brands compete and, with it, the nature of brand disparagement cases. *The Marico Limited v. Alpino Health Foods Pvt Ltd.* decision introduced the concept of “generic disparagement” – a nuanced form of competitive harm that doesn't specifically target individual brands but undermines entire product categories.

This case highlights the evolving sophistication of marketing strategies and the corresponding need for legal frameworks to address indirect competitive attacks. The court's willingness to grant injunctive relief for generic disparagement suggests a broader interpretation of trademark protection that considers market dynamics beyond direct brand-to-brand conflicts.

Emerging frontiers: non-traditional marks

India's trademark space is expanding beyond conventional boundaries. Lupin Atlantis Holdings SA's successful registration of a 3D shape mark for its inhaler, along with three color combinations as trademarks, signals the growing acceptance of non-traditional marks. The innovative color-coding system for medical devices demonstrates how distinctive positioning and specialized market considerations can overcome traditional objections to distinctiveness.

Recently, in India, we worked with the renowned designer Rajesh Pratap Singh to protect a Selvedge design that runs through the center back of the garments.

Cross-border enforcement and well-known mark recognition

The trend of courts granting declarations of well-known mark status is gaining traction. In *Marriott Worldwide Corporation v. Hotel Marriot Prime*, the court affirmed the brand's entitlement to such recognition despite the Defendant's limited-scale misuse. More recently, in *The Ritz Hotel Ltd. v. M S Hotel Ritz*, the Delhi High Court declared the RITZ and RITZ-CARLTON marks as

well-known, relying on extensive global use, longstanding registrations, and a reputation among Indian consumers.

Recent judicial decisions, as well as Trade Marks Office (TMO) orders, have facilitated the recognition of well-known marks. Courts have granted such declarations as part of final relief, allowing rights holders to apply for official listing by submitting the court order along with the prescribed fee. In such cases, the TMO is not required to undertake any further merits-based assessment. This procedural route has enabled the rapid entry of marks into the well-known list, eliminating the need for separate evidentiary proceedings.

Additionally, the TMO itself determines whether a trademark is considered well-known after considering the evidence. This development has enabled comfort in trademark enforcement. Once a mark is officially recognized as well-known, right holders are more comfortable establishing their reputation in subsequent disputes. Infringers have fewer grounds to challenge status, which was previously a frequent defense, even in cases involving globally established brands. The legal certainty offered by this framework has strengthened deterrence and encouraged brand owners to pursue protection that is both judicially validated and commercially effective.

Indian businesses are now placing a greater focus on developing original brand identities supported by strong IP portfolios, which face fewer challenges due to imitation or reputational ambiguity. This marks a clear departure from earlier practices where brand strategies may have borrowed visual cues, names, or themes from foreign or well-known global entities. Such imitation has led to enforcement disputes, delays in securing protection, and reputational concerns during due diligence. With stronger judicial recognition of well-known marks and improved procedural certainty, businesses are now better positioned to build distinctive portfolios with enforceable rights.

This shift has led to increased confidence among investors and in the capital markets. Brands that are formally protected, judicially recognized, and free from unresolved claims are increasingly seen as stable commercial assets. Companies are now able to raise funds with fewer objections linked to IP risks, while investors are more willing to back enterprises with clear, independently developed brand value. The result is a more confident, transparent environment in which IP supports not only enforcement but also enterprise growth and financial credibility.

Courts urge greater vigilance by TMO

Indian courts have increasingly emphasized the need for greater vigilance and accountability by the TMO. In several recent rulings, the Delhi

“

Leading e-commerce companies, social media networks, and content hosts have established formal systems to manage IP complaints.

”

High Court has directed the TMO to ensure higher quality of examination, reasoned orders, and strict adherence to procedural timelines. Courts have also criticized mechanical objections and arbitrary refusals, urging examiners to adhere to the principles of natural justice. This judicial scrutiny reflects a broader push toward administrative transparency and improved institutional performance within the trademark system.

Takedowns are emerging as a core IP enforcement trend

The scale and speed of IP violations on social media have made takedowns a central feature of contemporary enforcement strategy. Rights holders are actively monitoring platforms and issuing removal requests for infringing content, including counterfeits, deepfakes, and unauthorized brand associations. Courts have supported these efforts by granting dynamic and time-bound takedown orders in high-impact matters. The growing reliance on both platform-level action and legal intervention reflects the increasing importance of takedowns in modern IP enforcement.

A related and significant development is the institutionalization of IP grievance redressal within intermediary platforms. Leading e-commerce companies, social media networks, and content hosts have established formal systems to manage IP complaints. These include structured takedown portals for rights holders, internal workflows for content removal, and periodic transparency disclosures. This shift reflects an evolution in platform governance, where intermediaries are adopting more transparent processes to address infringement, mitigate liability, and align with judicial expectations. This represents measurable progress in the private sector's responsiveness.

Courts have also addressed the legal implications of digital impersonation and reputational harm. In *Ms. Aaradhya Bachchan and Anr. v. Bollywood Time & Ors.*, the Delhi High Court granted broad injunctive relief against several YouTube channels disseminating false and altered content concerning a minor. The court upheld the right to privacy and directed online platforms and authorities to take down the offending content without delay. The order highlights the judiciary's increasing involvement in addressing digital misuse that intersects with both personal rights and reputational damage.

Legislative modernization and policy reforms

The recent period has witnessed significant legislative initiatives aimed at strengthening India's IP framework. The proposed Protection of Trade Secrets Bill, recommended by the Law Commission, addresses a critical gap in India's IP protection regime. This specialized legislation aims to regulate

cross-border technology transfers and prevent economic espionage, reflecting India's growing role in global technology ecosystems.

The proposed amendments to the Names and Emblem (Prevention of Improper Use) Act, 1950, with enhanced penalties reaching INR 5 lakh for repeat offenders, demonstrate the government's commitment to protecting national symbols from commercial misuse.

Expanding advertising law framework

India's advertising law has recently expanded beyond general consumer protection to encompass sector-specific compliance and inter-agency coordination. The Guidelines for Prevention and Regulation of Dark Patterns, 2023, marked a turning point by targeting manipulative design tactics such as confirm-shaming, false urgency, and pre-ticked boxes. This was swiftly followed by the Greenwashing Guidelines, which imposed evidentiary standards and disclosure obligations for environmental claims.

New rules for the education sector introduced under the Coaching Guidelines now require verifiable rank claims, consent for testimonials, and accurate course disclosures. Financial and insurance regulators have also taken action. SEBI now prohibits associations with unregistered financial influencers except for investor education through compliant platforms, while IRDAI has mandated board-approved advertising policies and an internal review of all promotional content.

Guidelines were also recently introduced for celebrities, influencers, and gaming and financial influencers on responsible advertising. Defects are addressed through the Consumer Protection Act, among other remedies available under specific IP legislation.

Together, these developments signal a shift toward anticipatory regulation and institutional coordination in India's advertising law framework.

Faster timelines under the Commercial Court's framework

The proposed amendments to the Commercial Courts Act reflect a deliberate shift toward greater procedural efficiency. The reforms introduce strict timelines, including limits for deciding injunction applications and deadlines for execution proceedings. They also formalize the use of electronic modes for pleadings, evidence, and summons. These changes are intended to reduce procedural delays and establish speed as a structural feature of commercial litigation and have been an asset for IP owners.

International recognition and global standing

India's achievement of securing top global

“The increase in filings, higher damages awarded, and judicial engagement with new categories of rights suggest a system that is becoming more robust and better equipped to address these issues.”

rankings in patents, trademarks, and industrial designs, as reported by WIPO's World Intellectual Property Indicators, validates the effectiveness of recent policy initiatives. India's progressive growth in trademark filings, with millions of active registrations, demonstrates the country's robust IP ecosystem.

The 36.4% rise in industrial design applications, particularly in textiles, tools and machines, and health and cosmetics sectors, reflects India's growing emphasis on design-driven innovation and manufacturing excellence.

The WIPO findings reveal India's comprehensive progress in IP across multiple categories. India now holds the second-largest number of active trademark registrations worldwide, with over 3.2 million trademarks in force, highlighting the country's strong position in global brand protection. The trademark filing statistics show a 6.1% increase, with nearly 90% of filings originating from Indian residents. Key sectors driving this growth include health (21.9%), agriculture (15.3%), and clothing (12.8%).

The path forward

India's IP system has entered a phase of deliberate adaptation. Judicial pronouncements have extended the scope of protection to address disputes involving AI, digital impersonation, and personality rights. Courts have reinforced procedural standards across trademark and copyright matters, placing the TMO under increased scrutiny. Administrative improvements, including the streamlined recognition of well-known marks and reduced timelines under the Commercial Court's framework, signal a shift toward greater consistency and accountability.

These developments reflect a structured effort to align the IP system with evolving commercial and technological realities. IP is now treated as an essential element of economic policy, with enforcement and registration mechanisms responding to domestic and cross-border demands. The increase in filings, higher damages awarded, and judicial engagement with new categories of rights suggest a system that is becoming more robust and better equipped to address these issues. The continued priority will be to maintain legal clarity while supporting innovation and growth.

Contact

Anand and Anand

B-41, Nizamuddin East,
New Delhi 110013, India

Tel: +91 120 4059300

email@anandandanand.com

www.anandandanand.com

VAKHNINA & Partners, Russia

Patents
Utility models
Designs
Trademarks

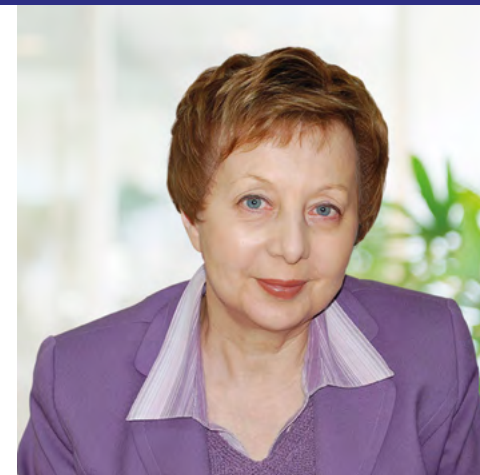


ip@vakhnina.com

www.vakhnina.com

+7-495-946-7075

Russia, Armenia, Kyrgyzstan



Dr. Tatiana Vakhnina

Founder, Doctor of Law,
Honorary advocate of the
Russian Federation.

Russian Patent and Trademark
Attorney, Eurasian Patent Attorney

Specializes in trademarks, and
patents in mechanical and electrical
engineering.



Dr. Alexey Vakhnin

M.D. PhD (Medicine, Biochemistry,
Biotechnology).

Russian Patent and Trademark
Attorney, Eurasian Patent Attorney

Specializes in Medicine, Biotechnol-
ogy, Biochemistry, Pharmacology,
Pharmaceuticals.



Dr. Elena Utkina

PhD in Chemistry.

Russian Patent Attorney,
Eurasian Patent Attorney

Specializes in Chemistry,
Biochemistry, Pharmacology,
Pharmaceuticals.

VAKHNINA & Partners

Eurasian and Russian Patent and Trademark Attorneys

**EAPO | Armenia | Azerbaijan | Belarus | Georgia
Kazakhstan | Kyrgyzstan | Moldova | Russia
Tajikistan | Turkmenistan | Uzbekistan**

Contacts:

Russia:

ip@vakhnina.com

Armenia:

am@vakhnina.com

Kyrgyzstan:

kg@vakhnina.com

Our attorneys are members of INTA, FICPI, AIPPI, LES Russia/LESI, PTMG, ECTA, Chamber of Russian Patent Attorneys

2025 AIPPI World Congress Yokohama, Japan

13 – 16 September 2025



Join over 2000 attendees and meet around 100 international speakers to expand your IP knowledge and network!



Japan's Gateway to Innovation

For the **2025 AIPPI World Congress**, we are heading to the vibrant city of **Yokohama**!

Set against the stunning backdrop of Yokohama's iconic skyline and rich cultural heritage, the 2025 AIPPI World Congress promises to be an unparalleled event filled with cutting-edge discussions, social events, and networking opportunities. Engage with leading experts, share innovative ideas, and gain insights into the ever-evolving IP landscape.

Join us for a deep dive into hot topics like Sustainability, Copyrights, Biopharma, FRAND, IP Rights in the Entertainment Industry, Patents, Trade Marks, Gamification, AI, and so much more. Don't miss this opportunity to engage with industry leaders and expand your professional network.

Registration is open: www.aippicongress.org



The
Trademark
Lawyer
GLOBAL REACH, LOCAL KNOWLEDGE
www.trademarklawyermagazine.com



LAW FIRM RANKINGS 2025

The Middle East and Africa, the Americas,
and the Caribbean

A comprehensive list of the
10 most well-respected law firms
from the Middle East, Africa,
the Americas, and the Caribbean.



The Trademark Lawyer

GLOBAL REACH, LOCAL KNOWLEDGE

Throughout the next few pages, you will view a comprehensive list of the 10 most well-respected law firms from North & Central America, the Middle East, and Africa, in alphabetical country and company order. Our focused list is derived from a multifaceted methodology, which uses months of industry research and feedback from our readers, clients, and esteemed connections around the world. All firms are ranked top 10 in their jurisdiction but are displayed alphabetically to avoid bias.

Egypt

- Al Tamimi & Company
- CWB
- El-Saghir Law Firm
- Eldib & Co.
- Helmy Hamza & Partners (Baker McKenzie)
- Ibrachy & Dermarkar
- Maddock & Bright IP Law Office
- NAL LAW GROUP
- One World Intellectual Property
- Shield Advocates



SHIELD
ADVOCATES
AL HAWY & HASSANE

Guarding Innovation, Enforcing Excellence:

Your IP Shield in the Middle East and North Africa

Phone: +20 38 508 217 | Mobile: +20 1027 6000 78
Address: 302 Y, Al Karma 1 Administrative Building, 4th District Sheikh Zayed City, Giza, Egypt
Email: Info@shieldadvocates.com
www.shieldadvocates.com



NAL GROUP
INTELLECTUAL PROPERTY

BEST
INTELLECTUAL
PROPERTY
SERVICES

By the testimony of our multinational clients and international organizations. For our proven strategies to protect, enforce, & invest in intellectual property rights



KEY SERVICES

- Worldwide intellectual property registration services
- Trademark, patent, design and copyright protection and enforcement in Egypt and Saudi Arabia
- IP licensing & franchise drafting, negotiation, closing deal
- IP training, capacity building and development

CONTACT US

Riyadh Office
8006 King Fahd Road
+966 5306 8424

Cairo, Egypt Head Office
Cairo Business Plaza
+201110609311

www.nal-ipgroup.com
nalali@nal-law.com

NAL Group specializes in developing and implementing strategies for trademark registration, protection, enforcement and exploitation of intellectual property rights across the globe. Our head offices are in Cairo, Egypt with offices in Riyadh, Saudi Arabia. NAL Group was top ranked by: Legal500 in 2013, CorpINTL in 2017 & 2018, Trademark Lawyer in 2024.

Shield Advocates is a full-service law firm based in Egypt, renowned for its expertise in intellectual property, litigation, and complex commercial matters. The firm represents multinational and regional clients across diverse industries, providing strategic IP portfolio management, prosecution, enforcement, and advisory services. With deep market insight and cross-border capabilities, Shield Advocates delivers effective legal solutions tailored to evolving business needs. The firm is recognized for its precision, responsiveness, and commitment to protecting clients' brand assets.

Saudi Arabia

- AIP&T
- Al Ajaleen Law Firm & IP
 - Al Tamimi & Company
 - AlDhabaan & Partners (Eversheds Sutherland)
 - Clyde & Co.
 - CWB
 - Kadasa IP
 - NAL LAW GROUP
 - One World Intellectual Property
 - Saba IP

Tanzania

- ABC Attorneys
- Alin Law Care
- ALN
- Bowmans
- Eden Law Chambers
- FB Attorneys
- Law Exchange Associates
- Lexglobe IP Services
- NexLaw Advocates
- Vemma Attorneys

USA North America - North East

- Amster Rothstein & Ebenstein
- Ballard Spahr
- Cantor Colburn
- Cowan Liebowitz & Latman
- Day Pitney
- Duane Morris
- K&L Gates
- Lerner David Littenberg Krumholz & Mentlik
- McCarter & English
- Morgan Lewis & Bockius

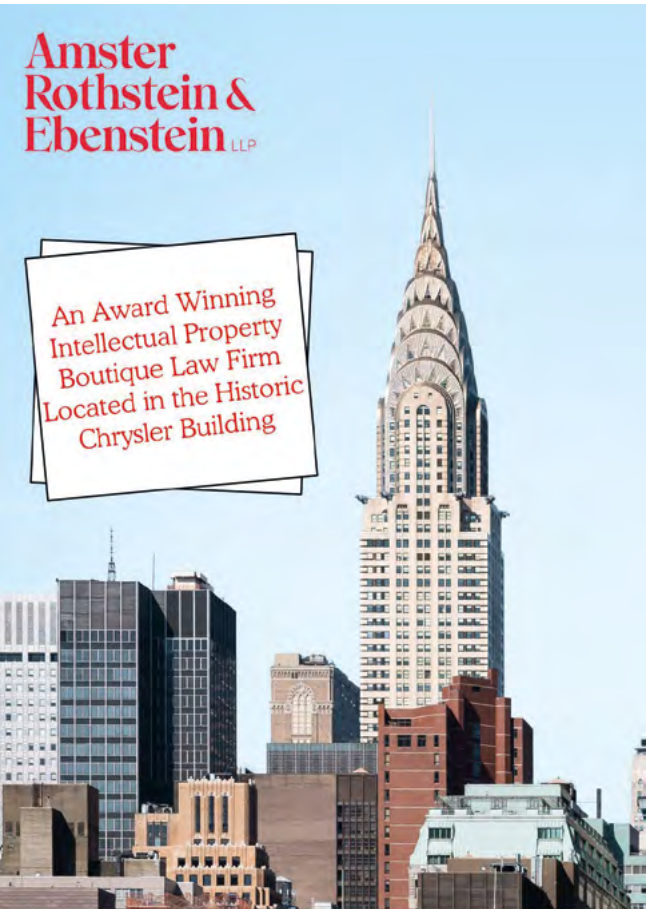
Amster, Rothstein & Ebenstein LLP is an award winning intellectual property boutique located in NY City offering cutting-edge expertise and best-in-class client service. Since 1953, the firm has helped startups and global businesses protect and enforce their IP through litigation, strategic counseling, and worldwide registration in emerging and traditional industries.



Protecting your Intellectual Property and Legal Rights

Trademark | Copyright | Patent | Counseling | Licensing

al ajaleen
العجالين
www.ajaleen.com



Amster Rothstein & Ebenstein LLP

An Award Winning Intellectual Property Boutique Law Firm Located in the Historic Chrysler Building

WWW.ARELAW.COM

 USA North America - West

- Davis Wright Tremaine
- Dorsey + Whitney**
- Fenwick
- Greenberg Traurig
- Holland & Hart
- Kilpatrick Townsend & Stockton
- Knobbe Martens
- Morrison Foerster
- Perkins Coie
- Schwabe Williamson & Wyatt

Since 1912, some of the world's most successful companies have relied on **Dorsey + Whitney** to help them prosper in a highly competitive world. Dorsey is an international law firm with over 600 attorneys, 70+ practice areas, and 21 global offices across the United States, Canada, Europe, and Asia. Dorsey focuses on providing results-oriented, grounded counsel for its clients' legal and business needs across numerous industries including banking & financial institutions; development & infrastructure; energy & natural resources; food, beverage & agribusiness; healthcare & life sciences; and technology.

 USA North America - South

- Allen Dyer Doppelt + Gilchrist
- Bradley (Bradley Arant Boult Cummings)
- Finnegan Henderson Farabow Garrett & Dunner
- Fish & Richardson
- Haynes and Boone
- King & Spalding
- Pirkey Barber
- Stites & Harbison**
- Troutman Pepper Locke
- Venable

Stites & Harbison, PLLC is a nationally recognized, full-service law firm that serves a diverse range of clients, including multinational corporations, financial institutions, pharmaceutical companies, health care providers, private businesses, nonprofits, family-owned enterprises, and individuals. With multiple offices across seven states – Connecticut, Georgia, Indiana, Kentucky, Ohio, Tennessee, and Virginia – the firm provides legal representation throughout the United States and internationally. For more information, visit www.stites.com.

Protecting your most important assets.



Stites & Harbison is the only firm in the state of Kentucky to receive national recognition by *Best Law Firms*® 2025 in the areas of Trademark Law and Litigation - Intellectual Property. Our deep understanding of patents and trademarks allows our attorneys to represent clients effectively and efficiently in the creation, registration, management, and litigation of intellectual property.

For information on how we can help, visit www.stites.com.

STITES & HARBISON PLLC
ATTORNEYS

CONNECTICUT | GEORGIA | INDIANA | KENTUCKY | OHIO | TENNESSEE | VIRGINIA

 Canada

- Aird & Berlis
- Bennett Jones
- Borden Ladner Gervais (BLG)
- Brunet & Co**
- Cassels Brock & Blackwell
- DLA Piper
- McCarthy Tétrault
- Osler, Hoskin & Harcourt
- ROBIC
- Smart & Biggar

Brunet & Co. is a leading Canadian intellectual property firm specializing in strategic services for patents, trademarks, and industrial designs. The firm collaborates with businesses across Canada and internationally to safeguard and manage their intellectual property assets. Possessing extensive expertise in Canadian intellectual property filing and prosecution, with a particular emphasis on cross-border strategy, Brunet & Co. assists startups, scale-ups, and multinational corporations in securing their innovations and maintaining a competitive advantage in global markets.

DORSEY
DORSEY + WHITNEY LLP

bright ideas

CREATING AND PROTECTING TRADEMARKS

We offer clients results-oriented advice reflecting a deep understanding of their business. Our attorneys have a wide array of trademark backgrounds and brand strategy experience, allowing us to understand even the most complex needs of our clients.

Dorsey is honored to be recognized as one of the Top 10 Trademark Firms and IP Practices – North America to West by *The Trademark Lawyer Magazine* Law Firm Rankings 2025.

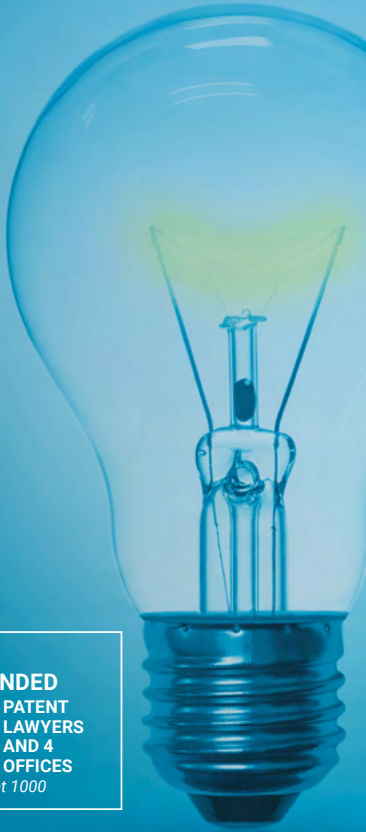
TIER 1 TRADEMARK LAW FIRM
Nationally ranked in 2025 Best Law Firms® (BL Rankings LLC)

LEADING INTELLECTUAL PROPERTY: TRADEMARK, COPYRIGHT & TRADE SECRETS
In New York
Chambers USA 2025

THE TMCA BLOG TOP TRADEMARK LAW BLOG
FeedSpot

HIGHLY RECOMMENDED 22 PATENT LAWYERS AND 4 OFFICES
2025 IAM Patent 1000

dorsey.com



BRUNETCO
PATENTS · TRADEMARKS

Protecting IP in Canada since 2006

Patents
Trademarks
Designs

www.brunetco.com
info@brunetco.com



 USA North America - Mid West

- Andrus Intellectual Property Law
- Avek IP
- BakerHostetler
- Barnes & Thornburg
- Crowell & Moring
- Erise IP
- Faegre Drinker Biddle & Reath
- Harness IP
- Lathrop GPM
- Michael Best & Friedrich

 Mexico

- Arochi & Lindner
- Basham, Ringe y Correa
- Bufete Soní
- C&L Attorneys
- Dumont
- Goodrich, Riquelme y Asociados
- Iberbrand
- Santamarina + Steta
- OLIVARES
- Uhthoff, Gómez Vega & Uhthoff

UK & Europe
2025 Rankings
in Issue 4 of
The Trademark Lawyer
To advertise contact
katie@ctclegalmedia.com

OLIVARES has been published in these rankings as its one of Mexico's top-ranked intellectual property law firms, recognized for leadership in patents, trademarks, copyright, litigation, and regulatory law. With over 50 years of experience, OLIVARES provide innovative, specialized legal solutions to complex business challenges. The team has led precedent-setting cases and legal reforms, shaping Mexico's IP landscape. Serving global brands across industries, OLIVARES offers unmatched enforcement, regional trademark support, and award-winning legal service backed by a team of 11 partners and 30 executives.

We don't just practice law.
We help shape it.


www.olivares.mx

WE ARE OLIVARES

Patents | Trademarks | Copyrights | IP Litigation | Anti-Piracy | Anti-Counterfeiting | Civil Litigation | Commercial Litigation | Constitutional & Administrative Litigation | Alternative Dispute Resolution (ADR) | Mediation & Arbitration | Licensing, Tech Transfer, & Franchising | Corporate and Comercial Law | Regulatory Law | In House Translation Department


OLIVARES
we know
MEXICO

Bufete Soni is a well-established law firm with a proven track record in intellectual property, copyrights, corporate law and litigation. They have successfully represented clients in numerous cases before Mexican courts and offer a high level of personalized service to both domestic and international clients. Bufete Soni manages thousands of legal matters and cases across jurisdictions and oversees hundreds of IP portfolios. This extensive experience enables them to deliver strategic legal solutions that give their clients a distinct competitive advantage. They achieve this through a deep understanding of diverse legal systems.

What sets **Uhthoff** apart is the depth of experience and multidisciplinary expertise of the Uhthoff team – comprising lawyers, engineers, chemists, biologists, and more. Above all, they prioritize strong client relationships, tailoring each case with precision to meet specific needs.

Continuous training and professional development ensure the Uhthoff team stays at the forefront of the legal and intellectual property landscape, delivering cutting-edge solutions in an ever-evolving industry.



BufeteSoní
SPECIALISTS IN CORPORATE LAW AND INTELLECTUAL PROPERTY SINCE 1963
STANDING, RELIABILITY AND EXPERTISE

Our teamwork accrued high-level expertise, allows Bufete Soní to represent clients in Mexico, the U.S., and throughout much of the rest of the world. Our practice ranges from patents and industrial designs, to trademarks, copyrights, slogans and trade names, trade secrets, domain names, licensing, advertising, unfair practices, internet rights, personal data protection, as well and corporate and regulatory law.

- **Services • Trademarks • Patents • Copyrights**
- **Corporate and Commercial Law**
- **Internet and Licensing Litigation**

Paseo de los Tamarindos 400-B, Floor 21,
Bosques de las Lomas, 05120 Mexico City, Mexico
Tel: + 52 55 2167-3252
Email: soni@soni.mx



120 

YOUR GLOBAL PARTNER

IN THE PROTECTION OF
INTELLECTUAL PROPERTY RIGHTS

uhthoff.com.mx |    

Guatemala

- Alta QIL+4 Abogados
- Arias
- BLP
- Carrillo & Asociados
- Consortium Legal
- IDEAS IP
- LEGALSA
- Mayora IP
- Mérida & Asociados
- Palomo Abogados

IDEAS IP was established in Costa Rica in 2009 as a solution to your IP matters in the region. Since the beginning, it has been known for its high-quality services and its broad knowledge of the Central America and Caribbean jurisdictions. Proof of this, is that only after one decade IDEAS IP has expanded its scope and size, becoming as of today an international service centre for the entire region.

Honduras

- Aguilar Castillo Love
- Arias
- BLP
- Bufete Durón
- Bufete Mejía & Asociados
- Casco & Casco
- Consortium Legal
- Dentons
- ECIJA
- García & Bodán

Bufete Mejía & Asociados – founded on a commitment to excellence, our firm has become a leading name in Honduras and Central America in IP, Advertising, Regulatory, and Corporate Law. We serve global clients with prompt, responsive communication. Active in major international IP forums, we value personal connection to strengthen relationships. Our attorneys offer practical, innovative legal solutions with a hands-on approach. Backed by a loyal, highly trained team, we pride ourselves on delivering outstanding service rooted in professionalism and dedication.

The Caribbean

- DunnCox
- Ferraiuoli
- Foga Daley
- Guzmán Ariza
- HSM IP
- J.D. Sellier + Co.
- Miniño Abogados
- Mosko & Associates
- Ogier
- Outten IP

HSM IP Ltd. provides worldwide Intellectual Property (IP) services and specialises in Caribbean IP including trade marks, patents, designs and more. Based in the Cayman Islands our experienced team of IP / trade mark lawyers and paralegals deliver first class service to a broad client base which includes major Fortune Global 500 brand owners, international law firms and other specialist IP practices. We have over 50 country guides for patents and trade marks: <https://hsmoffice.com/intellectual-property/>



Bufete Mejía & Asociados



PATENTED
Patent Law



Trademarks



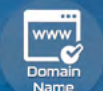
Litigation



Regulatory Affairs



Copyright



Domain Name

Meet MARIA, your smart assistant for any intellectual property matter!
MARIA is available 24/7 to provide fast, reliable answers.
Protect your Ideas and simplify your processes—just a click away!



MARIA



Chat with her maria.hn



Your key to Central America

+1 (914) 412-5719
+504 2550-7744

www.bufetemejia.com

142 Calle S. O., 20 Ave. "A", Bo. Rio de Piedras P.O. Box 1744, San Pedro Sula, Honduras, C. A.



IDEAS
INTELLECTUAL PROPERTY SERVICES
CENTRAL AMERICA & THE CARIBBEAN

Expand your Intellectual Property reach across the region with ease.

CENTRAL AMERICA AND THE CARIBBEAN
COSTA RICA • NICARAGUA • EL SALVADOR • HONDURAS • GUATEMALA
HAITI • SAINT LUCIA • BARBADOS • TRINIDAD AND TOBAGO • GUYANA
MONTSERRAT • SAINT VINCENT AND THE GRENADINES



Patents • Trademarks • Copyrights
Sanitary Registrations • Fashion Law
Enforcement of IP Rights



gmenendez@ideasips.com



noyola@ideasips.com



www.ideasips.com

HSM IP

With over **100 years** of combined intellectual property experience, the team at HSM IP can protect brand names, logos, inventions, trade secrets, creative works and designs.

- Portfolio management/strategic advice
- Renewals/annuities management
- Clearance/availability searches
- Dispute resolution/enforcement
- Prosecution services
- Anti-counterfeiting

Looking to protect your IP across the Caribbean?



Huw St. J. Moses, OBE
Managing Partner
+1 345 815 7400
hmoses@hsmoffice.com



Mrinali Menon
Senior IP Manager
+1 345 815 7436
mmenon@hsmoffice.com



www.hsmoffice.com



Founded in 1882, J.D. Sellier + Co. is the oldest law firm in Trinidad and Tobago; offering its clients quality legal services in all areas of Civil Law; including Intellectual Property, Corporate/Commercial, Banking and Finance, Admiralty and Shipping, Tax, Real Estate and Conveyancing, Probate, Litigation and Dispute Resolution.

The Intellectual Property Practice Group can trace its records to 1929, and its team of very experienced Attorneys offer in depth advice and analysis of issues concerning any area of Intellectual Property Law.

We partner with our clients in driving home the value of their IP assets through protecting and enforcing these rights, not only in Trinidad and Tobago but across the Caribbean and the Americas. Our team has worked with clients across the globe and has extensive experience in anti-counterfeiting including customs records and injunctive actions before the Court.

The firm has been voted in the top tier for both Trademarks and Patents by Managing IP for the past 10 years and our Ms. Ariane Ramnath an IP Star 4 years running.

- Members of:**
- AIPLA** - American Intellectual Property Law Association
 - AIPPI** - International Association for protection of IP
 - ASIPI** - Latin American Intellectual Property Association
 - CITMA** - The Chartered Institute of Trademark Attorneys
 - INTA** - International Trademark Association
 - IPCA** - Intellectual Property Caribbean Association

Address: 129-131 Abercromby Street, Port of Spain, Trinidad and Tobago

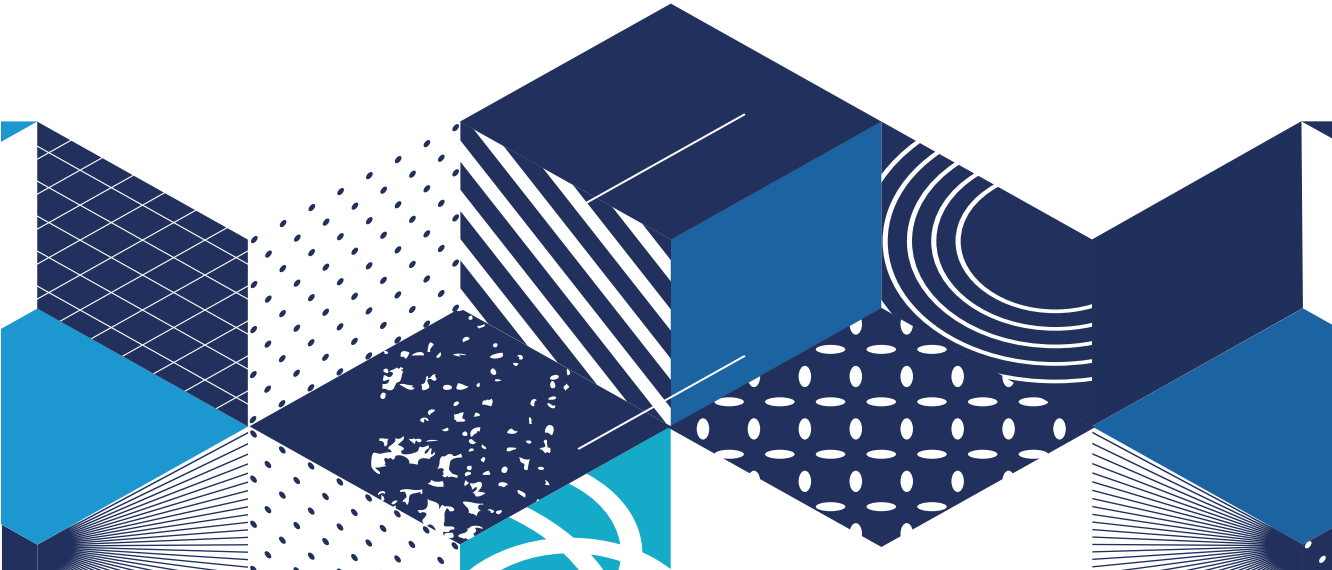
Telephone: +1 868 623 4283/7 ext. 1137/1158 Fax: +1 868 623 4281

Contact: Ms. Ariane Ramnath (Partner, Head of the IP Practice Group):
aramnath@jdsellier.com

J.D Sellier provides services covering all aspects of intellectual property including the registration of trademarks, patents, industrial designs, and domain names. We partner with our clients in driving home the value of their IP assets through protecting and enforcing these rights, not only in Trinidad and Tobago but across the Caribbean and the Americas. Our team has worked with clients across the globe and has extensive experience in anti-counterfeiting including customs records and injunctive actions before the Court.

Ferraiuoli LLC is an entrepreneurial and innovative law firm. Ferraiuoli is always at the forefront of providing legal services for the modern economy and supporting entrepreneurship and innovation as a driving force for economic development. It is recognized as one of the leading firms in Puerto Rico in various areas of practice such as intellectual property, corporate, environmental, energy, land use, real estate, labor and employment, litigation, and tax law among others.

Ferraiuoli



www.ferraiuoli.com | 787-766-7000



The
Hague
2025

JOIN US FOR OUR
39TH ANNUAL
CONFERENCE

BRAND CHANGES IN AN
INTERNATIONAL CONTEXT

THE HAGUE
THE NETHERLANDS

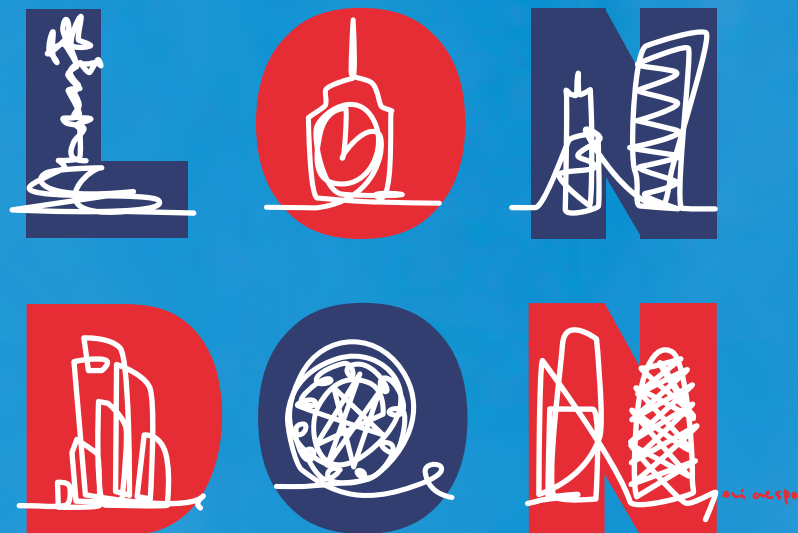
16th - 19th SEPTEMBER 2025

MARQUES

✕ @MarquesIP

Register Online www.marques.org

SAVE THE DATE



INTA ANNUAL MEETING

London, England | May 2–6, 2026

The World's Largest
Event on **IP and
Intangible Assets**
Is Coming to London

Registration opens January 2026.
Scan the QR code for details.



#INTA2026 #RoadToLondon



Tencent's 2024 Weixin Brand Protection Platform Report reveals a bold stand against counterfeiting

The Trademark Lawyer reports on the release of Tencent's 2024 BPP report, revealing key findings alongside commentary from Head of Public Affairs and Global Policy, Danny Marti.

On May 19, 2025, Tencent, a leading global technology and entertainment company, released the 2024 Weixin Brand Protection Platform Report (BPP report) during the INTA Annual Meeting in San Diego, US. With an attendance of over 10,000 IP professionals, INTA AM was the ideal platform to unveil the key statistical findings of this report, which clearly demonstrates the company's commitment to combating the counterfeiting of both digital and offline assets.

Most renowned for WeChat and Weixin, Tencent is a global leader in the tech and entertainment sector, with a portfolio that spans products and services from communication networks, to entertainment platforms, to enterprise solutions. Driving its development is the mission to harness 'Value for users, tech for good' with a commitment to address global challenges by connecting individuals, businesses, and communities worldwide.

Delivering content and services across TV, cinema, sports, music, and gaming, Tencent owns and collaborates with many of the world's leading global brands, making the protection of brands and goods a paramount concern. Tencent's report highlights its understanding of the role of IP for enterprises and innovation. The BPP report revealed the significant actions taken against infringing activity, including the shutdown of over 120,000 livestreaming rooms and the removal of more than 22,000 infringing short videos in 2024. And this is just a flavor of the brand protection work being carried out; more on that to come.

The Report

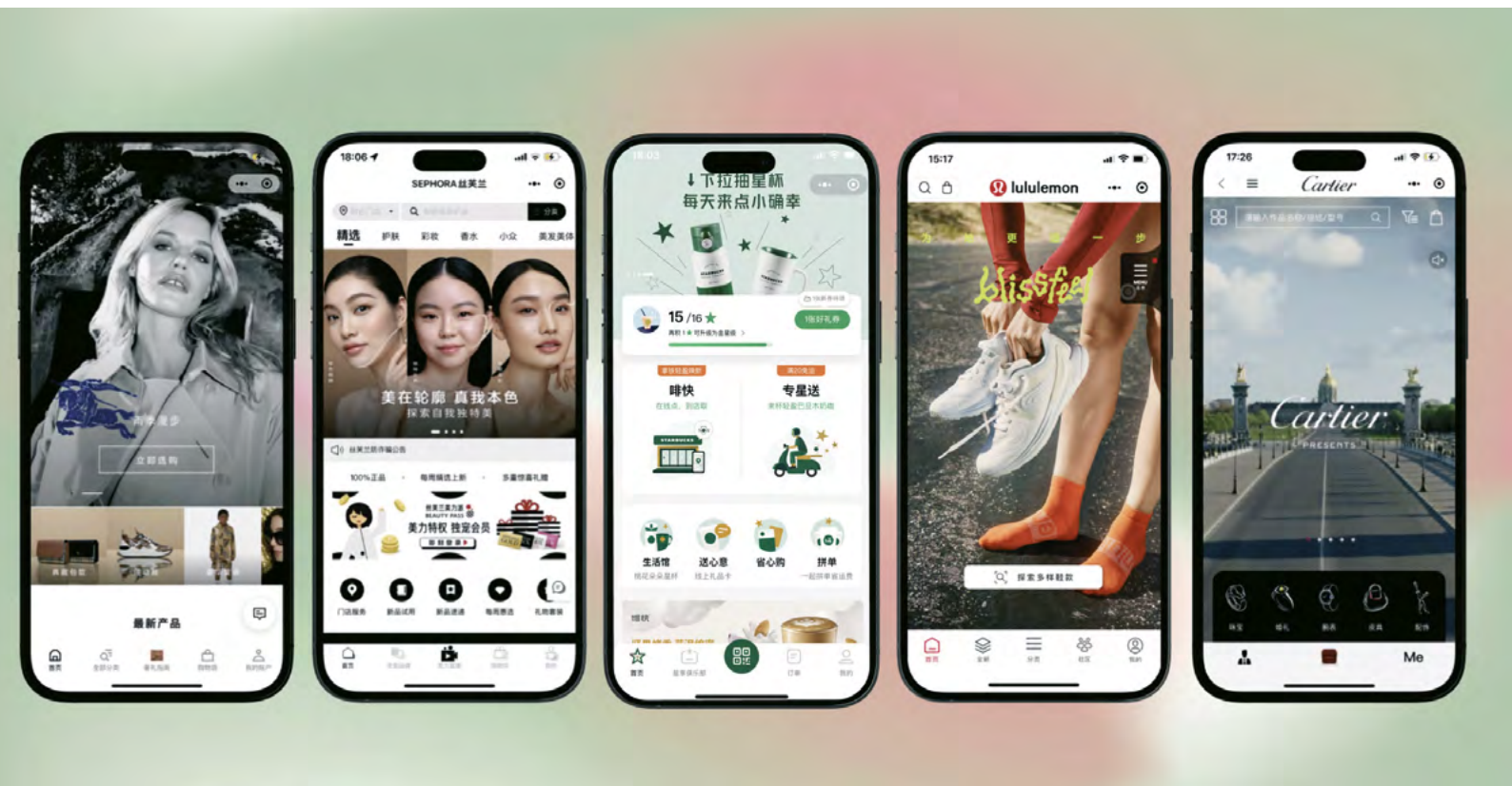
Weixin is a comprehensive social communication platform that facilitates both private interactions and public discourse through features including messaging, group chats, and short videos. Prominent brands utilize Weixin to enhance consumer engagement in China and to create meaningful experiences that resonate with their audiences. The platform prioritizes IP protection through an innovative and collaborative approach, including the Brand Protection Platform (BPP) that enables brand owners to respond to user-reported infringements within private communications.

The BPP report is an annual report detailing the brand protection initiatives implemented by Weixin, compiling important statistical data collected from the platform's portfolio of products and services.



Driving its development is the mission to harness 'Value for users, tech for good' with a commitment to address global challenges by connecting individuals, businesses, and communities worldwide.





In 2024, the platform launched improved reporting tools and a user awareness campaign, resulting in a 20% increase in offline enforcement cases and a total case value reaching \$300 million, highlighting the effectiveness of its brand protection efforts.

Key findings

In addition to the offline enforcement aforementioned, which encompassed over 30 brands across more than 20 industries, the report also highlighted that a staggering 98% of all "takedown" notices on personal accounts and 99.9% of all "takedown" notices in group chats were crowd-sourced user reports. This is a huge breakthrough

The BPP report revealed the significant actions taken against infringing activity, including the shutdown of over 120,000 livestreaming rooms and the removal of more than 22,000 infringing short videos in 2024.

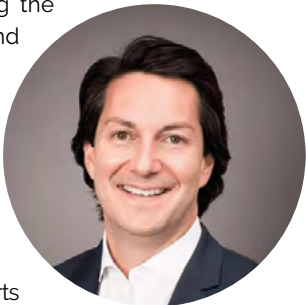
for two fundamental reasons: first, it streamlines the process of identifying infringement in real-time directly from the consumer at no cost to the brand; and second, it is evidence of an increased consumer preference and support for genuine products and services to the extent of actively reporting infringement. Consumer behavior holds significant power when it comes to counterfeits, as without the market for them, their success is jeopardized.

The enhanced reporting tools have resulted in three times more proactive enforcement than reactive actions in 2024.

Expert commentary

During the Conference, our Editor-in-Chief sat down with Danny Marti, Head of Public Affairs and Global Policy, to discuss the release of the BPP report. Danny reiterated that "the report signifies our commitment to protecting the interests of brands on Weixin and our ability to mobilize user communities through new features that build trust and help tackle counterfeiting."

He continued, "Brands have been ecstatic about the new report features, which deliver crowdsourced infringement reports directly to the brand's inbox. This crowdsourcing reporting feature is very exciting; I've worked in brand protection for a long time,



and brands have always told me they cannot fight counterfeiting alone. This feature is a breakthrough way to identify infringement in real-time while strengthening the relationship between brand and consumer."

Strategic implications for IP professionals

What the BPP report demonstrates is the potential power available to combat infringement by leveraging consumers. Brand owners should consider collaborating closely with IP professionals to educate consumers about the damaging consequences of counterfeits, as well as provide guidance on identifying fake goods and services.

Weixin has done just that with the "Anti-Counterfeiting Classroom," an online platform dedicated to educating consumers on methods for identifying fake goods and trusted brands. Leveraging takedowns via consumers opens the door to a streamlined and efficient identification process while also enforcing the mindset in favor of genuine goods.

A further aspect to consider is the continued disruption of the entertainment industry by gaming; IP management is fundamental for handling this intersection. As globally renowned movies, books, and television shows inspire new gaming releases, IP professionals must be vigilant in considering trademark and brand protection across jurisdictions and dimensions. "Trademarking is not stagnant, particularly with the video game industry, which can incorporate and apply to many scenarios and use cases, such as cinema, music, streaming and live events, and merchandising. This crossover and intersection of technologies requires vigilance from both a protection and enforcement standpoint," explained Danny.

He also expressed the complexities of using logos and brand products in games, noting that some companies are comfortable with the assets being distorted, while others are very particular about their use and representation. These are all aspects IP professionals need to consider, especially as the boundaries continue to blur with technological advancement.

A brand protection pioneer

IP is at the core of Tencent. Ranked in 2024 as the 10th most valued brand by Kantar, with WeChat as the world's strongest brand according to BrandFinance, and coming in second for top global innovators in Clarivate's latest report, it is clear that IP is the foundation of this brand. With a staggering 120 million+ paid music subscribers via Tencent Music Media, 110+ million paid Tencent Video subscribers, and over 800 million active users on Tencent Games, the traction of

This feature is a breakthrough way to identify infringement in real-time while strengthening the relationship between brand and consumer.



this brand is undeniable. But perhaps most impressive of all is their approach to protecting and enforcing IP within their platforms, both for their own brands and those with which they collaborate.

The BPP is an IP rights enforcement portal; brands are provided with user-generated, crowdsourced leads for suspected counterfeiting activity across the functionality of the platform. The BPP offers traceable reporting, with enforcement actions and automated data reports tailored to their inquiry. A keyword database assists in blocking counterfeit-related content from public feature registrations and advertisements, and livestreams and product listings are screened for infringement. Law enforcement support in offline investigations and criminal cases is also a priority for Weixin, indicated by the 20% increase in offline enforcement and a 15% increase in total case value for offline enforcement from 2023.

This commitment, transparency, and collaboration positions Tencent as a pioneer in brand protection.

To view the full 2024 Weixin Brand Protection Platform Report, please visit <https://static.www.tencent.com/attachments/reports/Tencent-BPP-Report-2024.pdf>.

Contact
Tencent
www.tencent.com

Harmonizing IP protection with international standards: comparing China and Vietnam's legislative and institutional reforms

Michele Ferrante of Ferrante IP offers a comparative analysis of legislative and institutional reforms in China and Vietnam aimed at aligning with international standards and Free Trade Agreements (FTAs), strengthening intellectual property systems, and enhancing trademark enforcement.

To harmonize their IP laws with international standards, China and Vietnam have implemented legislative and institutional reforms, especially in relation to trademark protection. Effective enforcement is key to a successful IP system that gains international respect and attracts investment. Vietnam's importance has increased in the Asia-Pacific region, seeing significant direct foreign investment and a rise in the Global Competitive Index.¹ Both countries are sending a message that their IP systems are strong, and their markets are open for business.

China's reforms include restructuring the State IP Office, introducing specialized IP courts. In 2021, the Government set out proposals to transform them from an importer of IP to an IP innovator



Michele Ferrante

and exporter.² The proposals included 'building an IP protection system supporting a world-class business environment,' specifically referring to promoting high-quality development of IP and to 'deeply participate in global governance.'

In 2023, China released the Fifth Draft Amendment (FDA) to its trademark law, intending to simplify registration procedures and tackle anti-competitive behavior. These amendments are still in the discussion stage, but central government agencies have been reorganized to increase efficiency.³

China and Vietnam are members of the World Trade Organisation (WTO) and the TRIPS Agreement,⁴ and Member States account for over 90% of global trade. Vietnam introduced its IP law in 2005 to comply with TRIPS, and by October 2024, the country had signed 17 FTAs, with negotiations ongoing for two others. The main treaties to which Vietnam is a signatory are:

- The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)⁵
- The Europe Vietnam Free Trade Agreement (EVFTA)⁶
- The Regional Comprehensive Economic Partnership (RCEP).⁷

Vietnam is also a member of the Association of the Southeast Asian Nations (ASEAN).



China has not joined the EVFTA or the CPTPP but is a party to several bilateral FTAs and the RCEP. The RCEP is based upon the TRIPS Agreement and is less proscriptive than the CPTPP or the EVFTA. Members of the RCEP must comply with the enforcement procedures set out in Article 61 of TRIPS, and as WTO members, both countries must adhere to its terms. China also acceded to the Apostille Convention, enabling public documents to be recognized.

The CPTPP⁸ sets a new global benchmark for IP protection, including the imposition of criminal enforcement measures. Vietnam has undertaken comprehensive revisions to its IP laws to align with these international standards, which prevail over domestic IP law.⁹

In 2019, Vietnam's Prime Minister issued the *IP National Strategy until 2030* to promote innovation, contribute to economic, cultural, and social development, and increase competitiveness, intending to propel Vietnam into the ranks of ASEAN countries that are leading the region in the creation, protection, and exploitation of IP rights by 2030. Objectives include improving the effectiveness of IP rights enforcement, reducing infringing activities, and introducing specialized courts.

Vietnam's National Assembly ratified its amended law on June 16, 2022; it is the most significant set of amendments since 2005. The changes include the protection of sound marks¹⁰ and legislating to remove the requirement that

“Vietnam’s importance has increased in the Asia-Pacific region, seeing significant direct foreign investment and a rise in the Global Competitive Index.”

¹ See en.vietnamplus.vn November 5, 2024, Business, Vietnam's WTO Journey: From Economic Integration to Global Trade Powerhouse.

² China Daily (2021) <https://govt.chinadaily.com.cn/s/202110/19/WS616e3a54498e6a12c1206d57/china-issues-outline-to-build-ip-powerhouse-in-next-15-years.html>.

³ This was undertaken in March 2018, when the 13th National People's Congress reorganized the agencies. A new CNIPA succeeded the SIPO and the SAIC's responsibility for the registration and administration of trademarks and it also takes over the registration and administration of geographical indications from the AQSIQ and in 2023, it was announced that the CNIPA was to be separated from SAMR, reporting directly to the State Council.

⁴ China became the 143rd Member on 11 December 2001 and Vietnam became the 150th Member on 11 January 2007.

⁵ The CPTPP entered into force for Vietnam on 14 January 2019.

⁶ The EVFTA entered into force for Vietnam on 1 August 2020.

⁷ The RCEP entered into force for Vietnam on 1 January 2022.

⁸ CPTPP, Chapter 18.

⁹ The CPTPP prevails over the domestic law of member states by virtue of art. 5.3 and the Law of Treaties 2016.

¹⁰ The inclusion of sound marks in the Amended IP Law is at clause 1 of Article 72 and Clause 2 to Article 105, which states that 'if the mark is a sound mark, then the trademark sample is the audio file and the graphical representation of that sound.'



a license contract must be registered with IP Vietnam.¹¹

Bad faith: Vietnam

A standout amendment is the inclusion of bad faith in Article 96, which is now a legal basis for trademark opposition and invalidation. Under the first-to-file principle, trademark protection applies to the earliest filed trademark applications, including those made in bad faith, curbing trademark squatting, which has proliferated in Vietnam. To determine bad faith¹² the applicant must know that the trademark is well-known and intend to take advantage of its reputation by resale, transfer, or licensing it to the owners, to prevent its entry into the market, thereby limiting competition, or where there is an intention to carry out other acts against fair commercial practices, which may require reference to international legal standards or expert evidence.

Bad faith: China

Under Article 22 of the DFA, filing for many trademarks without intent to use becomes directly equivalent to bad faith. There is an obligation to use or undertake to use a trademark at the application stage. Every five years following registration, the applicant must submit evidence of use, or it will be deemed abandoned. The mark will be revoked under Article 61, where false evidence is provided.

Article 67 specifies the fines available for bad faith filings that have harmed the state or public interest or caused significant adverse effects. Under Article 83, compensation is available to an owner if a trademark applied for in bad faith has caused harm. Article 67 allows warnings or fines up to RMB 50,000 or RMB 250,000 under severe circumstances. Mandatory mark transfer to the genuine owner is now possible under Articles 45-47. These provisions will make bad faith applications economically unprofitable and substantially deter potentially malicious applications.

Well-known trademarks: Vietnam

In a significant amendment, Article 4(20) defines a well-known mark as a mark widely known by the relevant sectors of the public in the territory of Vietnam. Article 74(2)(i) requires that the cited mark is well-known before the filing date of the application, with documentary evidence and supporting documentation obtained before the filing date. These provisions protect the legitimate rights of owners, unlike the previous provisions, where a mark had to be widely known to consumers with a widespread reputation throughout Vietnam. Article 18.22 of the CPTPP removes any requirement that in determining that a mark is well-known, it has obtained protection in several jurisdictions included on a

“
In 2024,
the SPC’s
Annual
Report
revealed
that of
9,120 first-
instance
criminal
cases,
8,079 cases
related to
registered
trademarks.”

list of well-known marks or given prior recognition on a well-known mark.

Well-known trademarks: China

The DFA addresses the concept of free riding on the reputation of a well-known mark. Article 18(3) considers that a well-known mark must be well-known among the ‘general public’ rather than the ‘relevant public.’

IP enforcement: Vietnam

Enforcement of IP rights under the CPTPP¹³ aligns with the TRIPS Agreement. Damages should provide adequate compensation for the injury suffered by an infringer who knows or has reasonable grounds to know that they are engaging in an infringing activity. The CPTPP sets out requirements for calculating damages, including lost profits, the value of the infringed goods or services, the suggested retail price, and the infringer’s profits. Vietnam will be required to provide statutory or pre-established damages or punitive damages. Although Vietnam does not have a punitive damages scheme, Article 205.1(de) caps statutory damages at VND 500 million. This provision has never been adequate in practice as the courts are required to exercise discretion but often refuse them due to a lack of a pre-established amount per infringement.

In 2025, the Ministry of Justice unveiled the draft Criminal Code 2015, proposing doubling the level of fines for individuals and organizations involved in the manufacture and sale of counterfeit goods, particularly in the sectors that pose direct risks to human and animal health, such as food and beverages, pharmaceuticals, and veterinary products. The draft should be approved by the National Assembly later this year.

IP enforcement: China

In China, punitive damages have been available since 2021. In 2022, the Beijing High People’s Court issued guidelines outlining that damages can be awarded when the infringement is serious and intentional. In 2021, the Supreme People’s Court of China provided guidelines for determining seriousness and intention. The calculation of damages is based on the sum of the base amount, calculated using verifiable data on the infringer’s actual profits, the right holders’ losses, or a deemed licensing fee before a multiplier is applied. In 2025, the President of the Supreme People’s Court (SPC) delivered its Annual Work Report, which noted an increase in punitive damages awarded. In 2024, the SPC’s Annual Report revealed that of 9,120 first-instance criminal cases, 8,079 cases related to registered trademarks. Additionally, in 2025, the SPC and the SPP jointly issued the *Interpretation on Several Issues Concerning the Application of*

Law in Handling Criminal Cases of Intellectual Property Infringement, which specifies details of IP crimes and financial and custodial penalties.

Specialized IP courts: Vietnam

In 2024, the new law on the Organisation of the People’s Courts (NLOPC) established specialized IP courts; a significant step in strengthening IP enforcement and dispute resolution. An electronic trademark system¹⁴ will be installed, including a publicly available electronic information system and a database of trademark applications and registered trademarks, ensuring that information can be checked swiftly. This complies with Article 18.9 of the CPTPP, requiring transparency, with signatories to the treaty endeavoring to make its laws, regulations, and administrative rulings of general application concerning the protection and enforcement of IP rights available on the Internet, supplementing the digital justice system whereby there will be an online litigation process and virtual hearings.

In addition to improving efficiency, the courts will exercise jurisdiction, conducting first-instance trials of IP civil and administrative cases, issuing decisions to enforce legally effective judgments and decisions on administrative cases, with the power to order administrative sanctions for acts of obstructing litigation activities. The courts will have three levels:

- The Supreme People’s Court, with three new appellate courts in Hanoi, Da Nang, and Ho Minh City
- 34 Provincial Level People’s Courts
- A new tier of Regional Courts that will replace the District Level Courts.

The new Regional Courts will exercise jurisdiction over first-instance civil and administrative cases, enabling it to develop specialized expertise and streamline case management. There will be specialized judges with experience in IP, specifically trained to handle complex disputes. The court will implement procedures to expedite dispute resolution. More efficient case management may involve reduced deadlines for filing documents and faster scheduling of hearings. The increased legal certainty and streamlining will reduce costs and incentivize right holders to protect their IP rights through litigation, deterring infringers.

Specialized IP courts: China

In 2014, China established three specialized courts in Beijing, Shanghai, and Guangzhou. Like Vietnam, they have first-instance jurisdiction over civil IP cases between individuals and organizations and administrative cases between the state and individuals and organizations.



“
Both
countries
have joined
international
FTAs, a
requirement
for
competitive
trade and
investment.”

Their jurisdiction extends to cases based on value and the extent of foreign involvement. They may also review decisions by county-level courts to streamline procedures and enable dedicated judges to adjudicate over complex cases.

China established 19 specialized IP tribunals in Intermediate Courts in several provinces between 2017 and 2019 and an IP Tribunal in the Chinese Supreme People’s Court in Beijing, replacing the High Court’s jurisdiction for second instance in cases involving patents, new plant varieties, etc.

Conclusion

Investing in its IP infrastructure has allowed China and Vietnam to compete internationally, attract investment, and improve domestic prosperity. Both countries have joined international FTAs, a requirement for competitive trade and investment.

Vietnam has shown a willingness to conform to the global hierarchy of IP protection by joining FTAs and amending its laws accordingly.

China’s law has been strengthened beyond the minimum standards required by TRIPS, introducing punitive damages, to reflect its intention of becoming a global powerhouse and IP innovator. Vietnam is not yet at this stage, but it has achieved a lot quickly, becoming recognized as a vital component of the surging Asia-Pacific region.

Contact

Ferrante Intellectual Property

Unit 20, Level 16, Nexus Building,
No. 41 Connaught Road Central, Central,
Hong Kong

Tel: +852 3757 9909
info@ferrante.asia
www.ferrante.asia

¹¹ In compliance with art. 18.27 of the CPTPP.

¹² Circular No. 23/2023/TT-BKHCN issued on 30 November 2023.

¹³ The CPTPP, arts. 18.71-18.72.

¹⁴ In accordance with art. 18.24 of the CPTPP.

An equal playing field: fair trademark enforcement in Russia

Evgeny Alexandrov of Gorodissky & Partners addresses the concerns of foreign IP rights holders about protecting their trademarks under newly imposed sanctions, highlighting recent cases that illustrate Russia's continued commitment to safeguarding both domestic and foreign intellectual property.

Effective protection of intellectual property (IP) rights provided by law is the prime indicator of a developed legal system. In light of the sanctions imposed on Russia and countersanctions adopted by the Russian Government, foreign IP rights owners find themselves grappling with questions regarding the feasibility of enforcing their rights. Widespread misinformation has erroneously suggested that foreign-owned IP is no longer shielded under Russian law. However, such claims lack substance.

First, it is crucial to acknowledge that Russia remains committed to upholding its obligations under major international IP treaties. As a Member State of these conventions, Russia ensures legal protection for various forms of IP, irrespective of the applicant's nationality. Applications to the Russian Patent Office are evaluated purely based on existing legislation, without discrimination toward foreign entities, contrary to the EU approach concerning Russian applicants.

From a judicial standpoint, no substantive changes have occurred in how Russian courts adjudicate IP-related disputes. Cases involving the defense of rights proceed unhindered, regardless of the IP owner's country of origin. Courts swiftly quash attempts by infringers to exploit geopolitical tensions against foreign IP rights owners. For instance, in Case No. 28-11930/2021, the Second Commercial Court of Appeal unequivocally declared that equal protection of IP belonging to foreign entities is guaranteed throughout Russian territory.

In another case (No. A33-27920/2021), the infringer claimed dismissal of the claims of the trademark owner based on Decree No. 430-r of the Government dated May 3, 2022, according



Evgeny Alexandrov

to which Japan was listed as an 'unfriendly' country. However, in its resolution on October 6, 2022, the IP Court ruled that the argument put forth by the defendant should be rejected. The panel reasoned that merely being incorporated in Japan does not absolve the infringer from civil liability for violating the exclusive rights of the trademark owner, as stipulated by the civil laws of the Russian Federation concerning the disputed trademark. The Government of the Russian Federation has not included the prohibition of trademark protection (enforcement) for trademark owners among these consequences.

Comparable findings have been uniformly maintained across multiple rulings from various court levels concerning trademark infringement cases brought forth by rights holders based in the United States, the Republic of Korea, Germany, the United Kingdom, Japan, France, Finland, Spain, and the Netherlands.

Cases: A45-9326/2023, A45-12535/2023, SIP-98/2022, A60-6958/2022, A67-985/2022, A57-9282/2023, A67-3739/2024, A75-5800/2024, A75-5799/2024, SIP-554/2021, A43-11633/2024, A53-47274/2023, A53-30749/2023, A32-22291/2024, A53-43320/2023, A43-4450/2023.

According to the Chairwoman of the IP Court, Lyudmila Novoselova: *"Today, it can be stated that certain approaches have developed among the courts, and they come down to the fact that when assessing the actions of a party, its specific behavior is taken into account. By itself, belonging*



“As a Member State of these conventions, Russia ensures legal protection for various forms of IP, irrespective of the applicant's nationality.”

to an unfriendly country does not indicate that actions that we can assess as an abuse of law have taken place. Therefore, it is necessary to evaluate specific actions within the framework of this dispute, within the framework of the situation that was the subject of this dispute.”

Therefore, an IP rights holder originating from a country named 'unfriendly' does not automatically serve as justification for dismissing their claims. To date, no court decisions have been issued denying the protection of the rights of IP owners from these jurisdictions. This article explores recent judicial precedents, shedding light on the current approach of Russian courts toward cases involving trademarks. This subject matter typically gives rise to numerous disputes adjudicated by the courts.

There are no barriers for a foreign company to enforce its IP rights in a Russian court. In this context, it is noteworthy that commercial courts deal with most trademark infringement cases. Over the past decade, Russian courts have accrued substantial expertise in handling trademark infringement cases, and going to court is one of the most effective ways not only to cease an infringement but also to recover monetary compensation or damages from the infringer. According to the statistics of the Supreme Court, on average, Russian courts handle more than 18,000 trademark infringement cases per year, and, as practice shows, the nationality of the trademark owner does not matter to the Russian court, and all cases are considered solely based on the law.

Prominent examples illustrating the efficacy of this approach include high-stake lawsuits initiated by renowned brands such as Chanel and Dior. In Case No. A63-6499/2021, these French luxury fashion houses prevailed against a vendor selling counterfeit sunglasses marked with their iconic logos. Both brands boasted of a well-established reputation in Russia, facilitating their victory. As a result of the trial, the court ultimately ordered statutory compensation to be paid to the plaintiffs by its decision on July 11, 2023.

Many other foreign enterprises have similarly triumphed in asserting their trademark rights before Russian tribunals. Noteworthy cases include:

- **Harman International Industries (USA)**
– Case A50P-752/2022
- **F. Hoffmann-La Roche AG (Switzerland) and Roche Diagnostics GmbH (Germany)**
– Case A21-6770/2023

Résumé

Evgeny Alexandrov, Ph.D, Senior Partner, Head of Legal, Trademark & Design Practice

Evgeny joined Gorodissky & Partners in 2005 and was promoted to Partner at the firm in 2015. He advises clients on the legal (non-contentious) and illegal (contentious) use of IP/IT, unfair competition and false advertising, parallel imports and anti-counterfeiting, licensing and franchising, media and technology. He is amongst the most experienced and strongest IP/IT litigators in Russia. He represents clients before commercial courts and courts of general jurisdiction, administrative, and law enforcement bodies.

- **TEFAL (France)**
– Case A56-125246/2024
- **Laboratoires De Biologie Vegetale Yves Rocher (France)**
– Case A79-8141/2024
- **Rovio Entertainment Corporation (Finland)**
– Case A45-22773/2024

These examples reflect the unwavering commitment of Russian courts to ensuring fair treatment for all rights holders, regardless of their place of incorporation. According to official data released by the Supreme Court, during 2022–2025, rights holders – whether domestic or foreign – secured over 4.1 billion rubles (~\$50 million) in compensatory damages for trademark infringements. This figure vividly illustrates the tangible rewards awaiting diligent brand custodians who zealously defend their IP portfolios.

Parallel import

One of the key areas of combating trademark infringements is fighting against the illegal import of original products without the consent of the trademark owner. Russia's changing political and economic climate over the past two years has made parallel imports a contentious issue. Misinformation suggests these imports are now allowed. However, parallel imports remain illegal and violate exclusive rights. The Russian Civil Code follows a national principle of exhaustion, allowing the resale of goods once legitimately entered into Russia, alongside the regional principle under the Eurasian Economic Union (EAEU), enabling free movement among Member States.

To address economic challenges, the Russian Government temporarily authorized parallel imports via a list of products approved by the Ministry of Industry and Trade in April 2022. Updated multiple times, this list permits importing select goods (being in short supply for which no domestic alternatives are produced in Russia) without rights-holders consent, focusing on companies that exited the Russian market.

Meanwhile, many foreign IP rights holders still actively protect their IP, often through trademark registration and recordal in the Customs IP Register, which remains an effective tool for preventing and identifying the importation of counterfeit products and unauthorized parallel imports. This registry plays a critical role in detecting and ceasing unauthorized imports at the border, helping to enforce the legitimate use of trademarked goods. From January to August 2024, customs detected 3.5 million counterfeit items, which is about 14.3% more than the year before (3 million), indicating the high efficiency of the customs authorities.

“On average, Russian courts handle more than 18,000 trademark infringement cases per year, and, as practice shows, the nationality of the trademark owner does not matter to the Russian court.”

Contact

Gorodissky & Partners
Tel: +7 495 9376112
pat@gorodissky.com
www.gorodissky.com

Courts consistently affirm that parallel imports remain prohibited unless specifically listed by the Government, for example, in Case No. A53-26676/2023, Davide Campari-Milano N.V. (Italy) successfully sued a local company for illegally importing “Aperol” branded products leading to a ban on sales.

In another case, ENPRANI CO., LTD (Republic of Korea) filed a lawsuit against an individual entrepreneur, requesting a ban on the use of the HOLIKA HOLIKA trademark and compensation for its unauthorized use by offering for sale of the branded products on the marketplace. On August 7, 2023, the court granted the requested relief, ordering the respondent to cease using the trademark and pay statutory compensation and legal expenses. The court also highlighted that the HOLIKA HOLIKA trademark is included in the Customs IP Register and is not listed by the Ministry of Industry and Trade among goods permitted for parallel import (Case No. A51-1583/2023).

It should be noted, however, that all attempts by importers to rely on the List of the Ministry of Industry and Trade to evade liability for illegal importation and sale of counterfeit goods are consistently rejected by the courts. In Case No. A41-51820/2022, initiated by Sonaks EST OU (Estonia), the defendant argued that the CHAMPION brand products fall within the scope of goods approved for parallel import under the order of the Ministry of Industry and Trade, thereby claiming that the use of the trademark did not constitute an infringement of the plaintiff's exclusive rights. In reply to this, the IP Court emphasized, in its resolution dated April 23, 2023, that the said Order applies exclusively to genuine goods (goods bearing lawfully affixed trademarks) introduced into circulation in the Russian Federation's territory without the rights holder's consent. Nevertheless, the courts found that the defendant failed to prove that the disputed goods had been legitimately placed on the market abroad with the consent of the rights holder to use the trademark. Consequently, the grounds for exempting the defendant from liability under the provisions of the Ministry of Industry and Trade's order were reasonably deemed absent.

Conclusion

The effective mechanisms for protecting IP rights in Russia demonstrate a robust legal framework that ensures safeguarding both domestic and foreign IP assets. Despite the current geopolitical landscape, Russia's adherence to key international agreements on IP underscores its commitment to maintaining a stable environment for businesses operating within its borders.

GORODISSKY

INTELLECTUAL PROPERTY TMT

gorodissky.com

Distinctiveness requirement for trademarks in Japan

Kazutaka Otsuka of Asamura IP offers insights into the distinctiveness requirement for trademark registration in Japan, using case examples to illustrate how courts have applied legal provisions to determine a lack of distinctiveness.

Distinctiveness is a fundamental requirement for trademark registration. The provision limiting the effect of trademark rights (Article 26 of the Trademark Act) provides that trademark rights cannot be enforced against marks that are not used in a way that allows consumers to identify the origin of goods or services, such as belonging to a specific business. From this perspective, distinctiveness is essential not only for obtaining a trademark registration in Japan but also for exercising trademark rights.

Provisions for the distinctiveness requirement of trademarks for registration in Japan

The provisions categorized below are considered as absolute grounds for refusal, with 1-5 being the individual provisions and 6 being a comprehensive provision (Trademark Law Article 3, Paragraph 1, Respective Items 1-6 corresponding to the following):

- 1) Generic name
- 2) Customarily used trademarks
- 3) So-called descriptive trademarks
- 4) Common surname or name
- 5) Extremely simple and common marks
- 6) Trademarks that consumers cannot recognize the source of origin of goods or services, as those pertaining to a particular business.

Precedent decisions

- 1) **Generic name**
The trademark PPF, which is the abbreviation for "paint protection film" for the goods "thermoplastic polyurethane film, etc.," was considered to fall under this provision as a generic name (Intellectual Property High Court, Case 2017 (Gyo-Ke) No. 10170, March 22, 2018).
- 2) **Customarily used trademarks**
The trademark PELIKAN MANGO was



Kazutaka Otsuka

examined as a customarily used trademark referring to yellow mangoes from the Philippines for the goods "mangos" (Trademark Appeal No. 2008-006628).

- 3) **So-called descriptive trademarks**
The trademark ALLROUND for the goods "sports equipment" was considered to fall under this provision (Tokyo High Court, Dec. 3, 1987, 1983 (Gyo-Ke) No. 128). The trademark below for the goods "pharmaceutical preparations" was considered to fall under this provision (October 20, 2006, Appeal No. 2005 4959).



- 4) **Common surname or name**
"Morimoto" is a common Japanese surname. The trademark below was considered to fall under this provision (Intellectual Property High Court, Heisei 29 (Gyo-Ke) No. 10110, November 27, 2017).



- 5) **Extremely simple and common marks**
Trademarks consisting of one or two Roman/Alphabetic characters and/or numeric characters or a combination thereof are considered to fall under this provision in principle. The trademark SL for "automobiles" was examined, and this provision was applied (Appeal No. 2003-1680, June 30, 2005).

Further, the trademark 603 for "clothing" was examined, and this provision was applied (Appeal No. 2008-16093, February 24, 2010).

- 6) **Trademarks that consumers cannot recognize as referring to the source of origin of goods or services, such as those pertaining to a particular business**
The trademark, THE JOY OF LEARNING AND THE JOY OF REACHING for "educational services" was considered to fall under this provision (Tokyo High Court Decision No. 45 of 2001, June 28, 2001). Provisions for the distinctiveness requirement often applied in trademark examinations in Japan

So-called descriptive trademarks
The "so-called descriptive trademarks" refers to a trademark consisting only of a mark that indicates, in a commonly used manner, the place of production and sale, quality, raw materials, efficacy, purpose, shape (including the package shape), method, or time of production or use, or other characteristics, quantity or price of the goods, etc. This provision applies in cases where the trademark directly represents the characteristics of the goods or services; however, it does not apply if the trademark indirectly represents such characteristics, for example, by using metaphorical expressions.

If the characteristics of the designated goods or services are generally recognized from the trademark, this provision applies, regardless of whether third parties are using the trademarks in such manner or not. In the precedent decision, the Supreme Court ruled that for judging whether the trademark merely indicates the place of production/sales of goods, it is not necessarily required that such goods are produced or sold in the place indicated by the trademark (Georgia Case: Supreme Court, January 23, 1986, Case No. 68 of 1985 (Gyo-Tsu)).

Résumé

Kazutaka Otsuka is an experienced patent attorney and a lawsuit counsel who focuses his practice on domestic and international trademark and design prosecution. He incorporates global policies for intellectual property protection in his daily work related to IP rights acquisition and client counseling. As a member of a private patent attorney organization, Kazutaka was involved in managing the Intellectual Property Foreign Training Department for four years, starting in 2006. In 2011 and 2012, he was a member of the Trademark Committee, a special committee of the Japan Patent Attorneys Association (JPAA).

“
Trademark rights cannot be enforced against marks that are not used in a way that allows consumers to identify the origin of goods or services.
”



Trademarks consisting only of the three-dimensional shape of the goods (including the packaging shape) also fall under this provision.

If these provisions apply to the trademark, usually the provisions for misdescriptiveness (Article 4, Paragraph 1, Item 16, Trademark Act) are also applied to the trademark for goods or services that do not have characteristics recognizable from the trademark.

Trademarks that consumers cannot recognize as referring to the source of origin of goods or services, such as those pertaining to a particular business

This provision is applicable, for example, to trademarks that are merely recognized as advertising sales messages or only as a symbol that displays a company's philosophy.

This also applies to composite trademarks consisting of words that fall under the categories 1-5 and lack distinctiveness.

Acquired distinctiveness of trademarks (secondary meaning)

The Japanese Trademark Act has a provision regarding acquired distinctiveness (secondary meaning) through actual use of the trademark (Article 3, Paragraph 2, Trademark Act). If the trademark is provisionally refused for lack of distinctiveness and the applicant wishes to claim acquired distinctiveness (secondary meaning) for the trademark, a substantial amount of evidence is required to prove this, and the examination is usually rigorous. The following key factors are taken into consideration for the examination of the acquired distinctiveness (secondary meaning):

- The identity between the applied trademark and the trademark in use
- The identity between the goods/services of the trademark applied for and the goods/services of the trademark in use

“This provision is applicable, for example, to trademarks that are merely recognized as advertising sales messages.”

- The degree of awareness of the trademark among consumers
- Detailed factors and appropriate evidence.

The detailed factors include trademark composition, the manner in which the trademark is used and the scale of use, advertising method, period, area and scale, whether third parties use identical or similar trademarks, the nature of the goods or services, and a consumer survey investigating consumers' awareness of the trademarks.

The appropriate evidence includes photographs or videos showing the actual use of the trademark, transaction documents (order, shipping and delivery slips, invoices, receipts, etc.), advertisements by the applicant, articles introducing the trademark application by persons other than the applicant (articles in general newspapers, etc.), and a report on the results of a survey on the awareness of the applied trademark among consumers.

Examples of trademarks that have acquired distinctiveness (secondary meaning)

The trademark KAKUBIN (which can be translated into English as “square bottle”) for the goods “whisky in square bottle” was rejected due to a lack of distinctiveness. In the cancellation lawsuit against the appeal board decision, the court ruled that although the trademark KAKUBIN is used in conjunction with the well-known house mark SUNTORY, the KAKUBIN trademark itself remains recognizable as being in use. Thus, the acquired distinctiveness (secondary meaning) can be recognized (Tokyo High Court, 2001 Gyo-ke No. 265, January 30, 2002).

The trademark below for the goods “clothing, etc.,” was rejected since “Kawasaki” is a common surname in Japan. The court ruled that the trademark has a distinctive appearance and cannot be considered a surname. The Defendant did

not argue against the well-known status of the trademark as the motorcycle brand's trademark, which had been used for many years in motorcycle-related business and other various business activities, acquired distinctiveness not only for the goods related to the businesses above but also for the apparel goods (Intellectual Property High Court Case 2012 (Gyo-Ke) No. 10002).

Kawasaki

Three-dimensional trademarks

The three-dimensional trademark below, Coca-Cola's returnable bottle container, for the goods “cola drinks,” was rejected for lack of distinctiveness, as it merely represents the shape of a product container. In the cancellation lawsuit, the court ruled that the Plaintiff's product had been sold for such a long period without changing its shape, with astounding sales results since its launch in Japan in 1957, and as a result of repeated advertising campaigns that emphasized the distinctive shape, that the bottle shape had become recognizable by consumers as a source identifying indicator at the time of the decision by the appeal board (February 6, 2007). In addition, the consumer survey results shows that 81% among the respondents (the first survey), 73.3% among the respondents in the CLT survey (the second survey), and 60.3% among the respondents in the web survey (the second survey) answered that the products name is “Coca-Cola.” Additionally, the Plaintiff continued to advertise in a manner that impresses consumers with the shape of its returnable bottles. Taking this into consideration, the court ruled that the bottle shape itself can distinguish the products from those of others, and the acquired distinctiveness (secondary meaning) of the trademark can be recognized (Intellectual Property High Court, Case No. 10215 of 2007 (Gyo-Ke), May 29, 2008).



The three-dimensional trademark below for an armchair was rejected due to a lack of distinctiveness. The armchair, known as the Y Chair, features a Y-shaped backrest and was designed by the world-renowned furniture designer Hans J. Wegner. It is one of the best-selling imported chairs in Japan. The application for the designated goods “armchair” (originally designated as “furniture” and subsequently amended to “chair” and then to “armchair”) was rejected in the examination and trial for lack of distinctiveness, as it merely

“The bottle shape had become recognizable by consumers as a source identifying indicator.”

represents the shape of the goods. In the cancellation lawsuit, the court ruled that, although the sales volume was not necessarily substantial compared to the overall sales volume of dining chairs, it was significant for one type of chair (“armchair”) and the trademark acquired distinctiveness through use (secondary meaning) (IP High Court, No. 2012 (Gyo-ke) No. 10242, November 14, 2012).



Key points for losing trademark distinctiveness

- The right to request the publisher of a dictionary or other publication to display the trademark registration is not conferred by the Japanese Trademark Act.
- Cancellation of trademarks on the grounds that the trademark has lost distinctiveness subsequently after registration is also not available in Japan.
- Disclaimers for trademarks are not available under the current Japanese Trademark Act. The disclaimer system was abolished with the 1959 amendment to the Act.
- For preventing subsequent loss of trademark distinctiveness, it is essential to effectively manage and maintain the registered trademarks, for example, by issuing warning notices against third parties using confusingly similar trademarks. Even if the third party is not using the trademark in that manner, seeking cooperation to prevent dilution of the trademark might be considered.

Closing remarks

The examination of trademark distinctiveness has become stricter than it used to be. The possible cause is the development of the information society, where consumers can easily search for various terms through the Internet; thus, the Japan Patent Office examiners also frequently refer to information on the Internet. When filing trademark applications and managing trademark rights, it is increasingly vital to thoroughly consider whether the characters that comprise the trademark have become commonplace and are commonly used, or whether such characters are likely to become commonplace and be used in a common manner.

Contact

Asamura IP

1-5-1 Otemachi,
Chiyoda, Tokyo,
Japan

Tel: +81 3 8840 1536
www.asamura.jp

SANYOU IP GROUP

BUILD IP PROTECTION WORLDWIDE

WWW.SANYOUIP.COM



ESTABLISHED IN 1986

Established in 1986, Sanyou IP Group started as Beijing Sanyou Patent Agency founded by the former President Ms. Qiang Li. Sanyou is one of the first private patent agency approved by CNIPA.

As a pioneer dedicating to intellectual property for more than 37 years, Sanyou is committed to pursue excellence and continues safeguarding IP rights for domestic and overseas clients with professionalism and craftsmanship.

Sanyou is one of the first batch of firms awarded by the Chinese Patent Office the title of Outstanding Patent Agency, a vice president member of ACPAA, a standing committee member of CTA, and a vice president member of CIPS, etc.

After more than 37 years' development, Sanyou has become a comprehensive IP group providing all-round IP services for domestic and international clients from rights procurement to enforcement.

Sanyou IP is always striving to improve services in the hope to share a win-win future with our clients.

SANYOU

Professional Staff Structure

More than
400
employees

Over
300
professionals

Over
180
patent attorneys
and lawyers

A trademark
team of
30
members

OUR HEADQUARTER

16th Fl., Block A, Corporate Square, No.35 Jinrong Street,
Beijing, 100033, P. R. China
TEL: +86-10-88091921
FAX: +86-10-88091920
Email: sanyou@sanyouip.com
Website: www.sanyouip.com



Strategies for overcoming similarity trademark refusal in China

Smile Hao, Trademark Attorney at Beijing Sanyou Intellectual Property Agency Ltd., examines the challenges of trademark registration in China, specifically focusing on the implications of Article 30 of the China Trademark Law and the factors that influence judicial determinations of similarity among goods and services.

In practice, it is common for an applied mark to be rejected for registration or extension into mainland China due to Article 30 of the China Trademark Law. The most common reason is that it constitutes a similar mark over similar goods or services to other prior mark(s). For most rejections based on Article 30, we analyze whether there is room to argue that the rejected mark is distinguishable from the cited mark(s) with respect to a distinctive part, overall appearance, meaning, and other aspects. If not, we think that the chance of overcoming the rejection may not be optimistic. Thus, we ask, can an argument asserting dissimilarity of goods or services prevail in a review of refusal case?



Smile Hao

case. In practice, it is rare for the Classification Table to be overruled in review of refusal cases to conclude that the goods or services involved are not similar. At the judicial stage, since the vast majority of refused goods or services are standard according to the Classification Table, the trend of relying on the Classification Table to determine similarity of goods or services largely continues.

- In Case (2021) Jing Xing Zhong No. 6060, the court's ruling affirmed the above point:

"The Classification of Similar Goods and Services categorizes similar goods and services based on the needs of trademark search, examination, and administrative work by the trademark administrative authorities. It groups similar goods or services with specific connections that are likely to cause confusion, reflecting the uniformity and

Examination practices regarding dissimilarity arguments

According to the Guidelines for Trademark Examination and Trial, in the examination of trademark registration and review of refusal cases, the Classification of Similar Goods and Services is generally the primary basis for judgment. Meanwhile, the Beijing High People's Court Guidelines for the Trial of Administrative Cases on Trademark Authorization and Confirmation stipulate that, in trademark review of refusal administrative cases, the Classification Table at the time of case adjudication should generally serve as the basis for determining whether goods or services are similar.

At the administrative stage (i.e., the China National Intellectual Property Administration (CNIPA) stage), examination of whether goods or services are similar is mechanically based on the Classification Table in a review of refusal

Résumé

Smile HAO joined Sanyou in 2018. She has worked in the IP field for more than 13 years and practiced as a Trademark Attorney for nearly 10 years. She is good at dealing with complicated trademark cases, such as invalidation and opposition. She is also an Attorney-at-Law who can provide advice and suggestions concerning trademark infringement, trade name protection, domain name disputes, etc. She has rich experience in strategically planning trademark applications, protection, and prosecution. She has protected the trademarks of some of the world's best-known entrepreneurs and international brands and designs, such as BT, BELIMO, geistlich, TEKNOS, etc.



efficiency of administrative enforcement. Therefore, in administrative disputes over trademark review of refusal cases, the Classification of Goods and Services should generally be followed, and arbitrary deviations should be avoided to prevent affecting the fundamental understanding of the nature of the goods or services."

In this judgment, the second-instance court held that:

The goods designated by the disputed mark, such as "disinfectants for hygiene purposes; fungicides; germicides," were similar to goods approved for use by the cited mark 1, such as "soil disinfectants; agricultural fungicide."

The goods designated by the disputed mark, such as "medicinal alcohol; detergents for medical purposes," and the goods approved for use by the cited mark 2, such as "vitamin preparations; medicines for human purposes," all fall under paragraph of subclass 0501. Moreover, these goods overlapped with respect to function, usage, production sector, distribution channels, and consumer, thus constituting identical or similar goods.

The appellant, Hegu Tangyue Company, argued that these goods designated by the disputed mark and those approved by the cited marks 1-2 did not constitute identical or similar goods. This argument was not supported by the court and was therefore rejected.

“**Thus, we ask, can an argument asserting dissimilarity of goods or services prevail in a review of refusal case?**”

- In Case (2020) Jing Xing Zhong No. 3038, the second-instance court held that:

Referring to the Classification of Similar Goods and Services, the goods designated by the disputed mark, such as "coffee based beverages; a drink made from coffee; cocoa beverages with milk; coffee-based beverages with milk; chocolate-based beverages with milk; coffee beverages; cocoa beverages; chocolate beverages; chocolate-based beverages; iced tea; tea-based beverages; chamomile tea beverages; tea-based beverages; fruit-flavored tea beverages" fall under subclass 3001 and the second part of subclass 3002.

The goods approved for use by the cited mark, such as "non-alcoholic fruit juices; mineral water; fruit juice beverages (drinks); peanut milk (soft drinks); milk tea (non-dairy based); lactic acid beverages (fruit-based, non-dairy)" fall under subclass 3202.

According to the Classification, the goods falling under subclass 3001 and the second part of subclass 3002 are similar to those falling under subclass 3202. Additionally, these goods overlapped with respect to function, usage, production sector, distribution channels, and consumer base, thus constituting identical or similar goods.

- Fortunately, when the goods or services involved exhibit significant differences with respect to

sales channels, consumer groups, etc., courts at the litigation stage are more likely to take actual usage-related factors into account than the CNIPA, which tends to adopt rigid examination principles. Furthermore, the court(s) may consider additional circumstances such as reputation obtained by the disputed mark, thereby indicating a more flexible approach in determining whether the goods or services are similar.

- In Case (2016) Jing Xing Zhong No. 4145, the Trademark Review and Adjudication Board (TRAB) held that both "computer game software" designated by the disputed mark, and "computer peripheral devices" designated by the cited mark 3 fall under subclass 0901, which constituted similar goods. However, the first-instance court ruled that in actual use, the disputed mark was primarily associated with gaming products, whereas the cited mark 3 was used in industrial design applications, resulting in significant differences in consumer groups and sales channels. The relevant public for these two marks was distinct, and their coexistence in the market was unlikely to cause confusion or misunderstanding. Additionally, given the widespread recognition of the disputed mark among the relevant public due to its actual use, the likelihood of confusion was further reduced. The court therefore concluded that the designated goods of the two marks were not similar. The TRAB appealed, but the second-instance court upheld this judgment.

- In Case (2019) Jing Xing Zhong No. 6929, the China National Intellectual Property Administration (CNIPA) held that, according to the Classification, the goods "aircraft, amphibious aircraft, airplanes, space vehicles, aircraft, civil drones" designated by the disputed mark falling under subclass 1209 were cross examined with "vehicle chassis" designated by the cited mark 5 falling under subclass 1211. However, the second-instance court held that target users of both parties' marks were professionals associated with large aircraft and similar vehicles, rather than ordinary consumers. Such goods were high-cost and required specialized training for operation. Despite being classified as similar goods according to the Classification, they were not inherently similar in practice. Significant differences existed in sales channels and consumer groups, making confusion or mistaken purchases unlikely. The second-instance court ultimately ruled that the disputed mark

“**When the goods or services involved exhibit significant differences with respect to sales channels, consumer groups, etc., courts at the litigation stage are more likely to take actual usage-related factors into account.**”

and the cited mark 5 were not similar marks over similar goods.

In conclusion, although the CNIPA and courts primarily rely on the Classification to determine similarity between goods or services, under circumstances where the disputed mark has a certain reputation, and the goods or services involved exhibit significant differences, the disputing party may consider filing an appeal(s) for an unfavorable review of refusal decision. At the judicial stage, the disputed party may collect additional evidence to prove the following facts: the involved goods are not similar with respect to production sectors, sales channels, target consumers, function, or intended use; the services involved are not similar with respect to purpose, content, method, or target audience; the disputed mark has acquired certain reputation; the involved parties' operation fields are distinct. Such evidence may help to establish that the relevant public involved does not overlap and that, according to general commercial practices and common perception, the involved goods or services lack connections or are unlikely to cause confusion, thereby supporting the argument that they are not similar.

Lastly, when non-standard goods or services are rejected, the disputed party should pay special attention to the following scenarios:

For some non-standard goods (especially those goods falling into Classes 7 and 9) or services, since the general public has limited understanding of their function, characteristics, and other aspects, they may be mistakenly classified, or the CNIPA may have inconsistent attitudes toward the classification of them. If it happens, classification of these goods or services may not correspond to the trademark owner's intended scope of protection. In a potential review of refusal cases, a disputed party may assert that the classification of rejected goods or services is not correct, and the involved goods or services are not similar with respect to function, characteristic, customer, and other aspects, to attempt to overcome the rejection.

- In Case (2014) Gao Xing (Zhi) Zhong No. 3450, regarding the disputed mark's rejected non-standard good "hydraulic accumulators" in Class 7, the Trademark Office had classified it under subclass 0749 in certain trademark records, while a substantial number of cases also showed that its classification is subclass 0730. The first-instance court held that the designated goods "hydraulic accumulators" of the disputed mark and the cited mark's

approved goods, such as "diesel engines, electric beverage makers, washing machines, pumps, compressors (machines)" in class 7, differed significantly with respect to function, intended use, production sector, sales channels, and consumer base. Such differences would not cause consumer confusion or misunderstanding, and thus the goods were not deemed similar. Upon appeal by the TRAB, the second-instance court reaffirmed that while "hydraulic accumulators" was not explicitly listed in the Classification, it exhibited substantial differences from the cited mark's approved goods with respect to function, purpose, production sector, distribution channels, and consumer groups. Consequently, the goods were not considered similar.

The rejection caused by disputes that occurred for the classification of non-standard goods or services offers an important lesson: when designating non-standard goods or services, trademark owners may consider simultaneously including similar standard goods or services under the Classification. This dual approach helps mitigate risks arising from classification disputes because incorrect classification may trigger unjustified rejections based on irrelevant cited marks, and it may lead to inadequate protection because the mark at issue may not be able to block registration of subsequent

“**Significant differences existed in sales channels and consumer groups, making confusion or mistaken purchases unlikely.**”

similar marks over related goods or services that it is supposed to bar. Furthermore, for trademark agents, when dealing with review of refusal cases concerning such kinds of non-standard goods or services, we should analyze more carefully and cover the classification of the relevant goods or services as comprehensively as possible to reduce the potential risk that may be caused by it.

Contact

Beijing Sanyou Intellectual Property Agency Ltd

16th Fl. Block A, Corporate Square,
No.35 Jinrong Street, Beijing, 100033,
P.R.China

Tel: +86 10 8809 1921 | +86 10 8809 1922

Fax: 86 10 8809 1920
sanyou@sanyouip.com
www.sanyouip.com



Europe's Largest IP
Convention & Trade Fair

24th and 25th November 2025

1000 +
Attendees

80 +
Speakers

55 +
Nationalities

15 +
Roundtables

20h +
Networking

80 +
Exhibitors

Where IP meets the future.

From AI disruption to global strategy – this is where you lead the change.

- ✓ Discover how AI transforms IP & legal workflows
- ✓ Learn from Swiss Re, ABB, Viessmann & more
- ✓ Connect & benchmark with global peers

Whether you're enhancing your current processes or preparing for the next leap – this is your platform for insight, technology and transformation.

Listen to excellent speakers like



Dr Evangelos
Avramakis
Swiss Re



Prof Dr Michael
Beurskens
University of Passau



Charlotta Ljungdahl
ABB



Dr Lisa Sprenger
**Viessmann
Climate Solutions**



Minoru Masujima
Resonac



Sandy Müller
TRUMPF SE + Co. KG

Secure your ticket now!
www.ipserviceworld.com

Tickets from
€ 295,-

Platinum Supporters



The brand trophy paradox: how to market brand recognition and avoid legal risk

Kyle-Beth Hilfer and Avanthi Cole of Cowan, Liebowitz & Latman offer guidance on navigating the delicate balance between utilizing awards and seals of approval to enhance brand recognition while adhering to IP laws.

Brands are delighted to receive an award or a seal of approval. Marketing those trophies requires careful consideration of intellectual property and advertising law principles.

Types of awards

Third-party industry watchdogs may reward a brand with an award, seal of approval, or beneficial ranking on a comparison website or through an independent certification program. In other instances, a company might self-certify that its product meets certain industry standards or requirements. Brands will often deploy these awards, designations, or certifications in marketing materials to help drive sales, build consumer trust, and elevate brand recognition.

IP considerations

When using logos or seals from a third party, businesses need to secure the necessary permissions to avoid potential infringement claims. Unauthorized use of a third-party seal that is a service mark or certification mark (whether or not registered) can lead to accusations of infringement, dilution, or false association, damaging the relationship between the brand and the certifying organization.

Similarly, businesses should ensure that they have authorization to use in marketing materials any copyrighted materials associated with the award, such as detailed written reviews, proprietary logos, or guidelines associated with the award.



Kyle-Beth Hilfer



Avanthi Cole

FTC guidelines on endorsements

While brands may quickly realize that there are IP considerations in referring to third-party awards, they should also consider the issue from an advertising law perspective. Lack of disclosure, unsubstantiated claims, or improper self-certification may lead to false advertising charges from the FTC or a challenge from a competitor.

First, a brand should develop its marketing materials considering the Federal Trade Commission's (FTC) 2023 Endorsement and Testimonial Guides and associated guidance¹ ("FTC Guidelines"). The FTC Guidelines emphasize the necessity to disclose to consumers "material connections" between the brand and an endorser. If a brand is incentivizing a third party—whether through payment, discounts, or other perks—to grant an award, the brand must disclose this relationship clearly and conspicuously in all marketing materials. The FTC highlights that this requirement is particularly crucial when a substantial portion of the audience may not be aware of or expect such a connection.

Second, brand endorsements from expert organizations must be supported by expertise. Brands should consider the background of a third party giving an award or certification to ensure there are sufficient objective standards or expert evaluations to support the award. Without such substantiation, the brand award may be seen as deceptive or unfair advertising. For example, a seal from an environmental group should be supported by recognized industry

environmental standards, not merely a favorable assessment with no evidentiary support (16 CFR Part 260.2). Similarly, if a chiropractic association endorses a product, that endorsement should be based on a genuine chiropractic assessment, not just a paid promotion (16 CFR Part 255.4).

Third, marketers need to be aware of possible "dark pattern" accusations by a regulator or a consumer class action related to the third-party award. In recent years, the FTC and other state regulators have decried such deceptive practices that subtly influence or manipulate consumer behavior. These tactics can include using misleading visuals or confusing language to exaggerate the importance or meaning of a third-party award or to obscure the financial relationships behind an endorsement or certification. In particular, the basis for the third-party award should be commercially relevant to the consumer's use of the product in its typical use. Depending on how the award is used in marketing materials, the third-party award could be seen as a type of superiority claim relative to competitors. If the award or seal is relevant to a product attribute that does not demonstrate itself in typical consumer use, it may fail as substantiation for any implied superiority claim and create a valid claim of dark pattern marketing.

Third-party ranking services and comparison websites

Another area of concern for businesses involves third-party ranking services and comparison websites, especially when financial incentives are at play. The FTC's guidelines provide detailed instructions on how to handle these scenarios.

If a business is paying a third-party ranking site for favorable placement, it must not create the impression that the rankings are unbiased or objective. The FTC requires that consumers be informed about any financial ties that could affect the ranking of products or services.

In May 2020, the FTC issued an order² against LendEDU, a website that compares financial products such as student loans, personal loans, and credit cards. LendEDU presented itself as an objective resource, but it was discovered that the company accepted payments from lenders, which led to higher rankings and ratings for those lenders on the company's website. The FTC's order prohibited LendEDU from misrepresenting the objectivity of its rankings and failing to disclose compensation-related influences.

If payments are influencing the rankings or recommendations, disclosing this information is mandatory. Such disclosures, however, even if clear and conspicuous, may not protect a business from accusations of deceptive practices. For instance, if a headphone review website accepts payments from headphone manufacturers

to raise their products' rankings, the website's practices would be considered deceptive, even if the payment relationship is disclosed (16 CFR Part 255.4, Example 3). By contrast, for example, if a website operator receives payments from manufacturers for affiliate link referrals, such practices would not be considered deceptive provided the website operator clearly and conspicuously discloses that it receives payment when such link is used.

Self-certifications: a word of caution

Self-certifications, namely company-created seals or awards, are another area where businesses must tread carefully. Unlike third-party certifications, self-certifications involve the company evaluating its own products. This practice can lead to regulatory scrutiny based on bias and accuracy concerns.

The FTC Guidelines underscore the importance of substantiation for self-certifications to avoid allegations of deceptive advertising if the company overstates the benefits or attributes of its products. Self-certifications and marketing claims related to health, safety, or environmental impact are likely to face a high level of scrutiny. For instance, if a business advertises its product as "eco-friendly" or "organic" based on its own criteria,

“

When using logos or seals from a third party, businesses need to secure the necessary permissions to avoid potential infringement claims.

”

Résumés

Kyle-Beth Hilfer, Counsel

Kyle-Beth has over 30 years' experience providing legal counsel to advertising, marketing, promotions, intellectual property, and new media clients. Leveraging her deep understanding of branding, Kyle-Beth ensures regulatory compliance for her clients' advertising and marketing campaigns. She also helps clients create, monetize, and protect their trademark and copyright portfolios in a global marketplace.

Avanthi M. Cole, Associate

Avanthi's practice specializes in IP disputes, with a focus on copyright and trademark litigation and counseling. She has represented clients across a range of industries, including social media platforms, pharmaceutical companies, online businesses, and domain name registrars.

it must have concrete, scientific evidence to substantiate these statements.

The FTC's complaint against Moonlight Slumber, a baby mattress manufacturer in Illinois, highlights this problem. In December 2017, the FTC alleged that Moonlight Slumber's "Green Safety Shield" certification – a self-awarded label – was misleading. FTC asserted that the company's claims about the mattresses being organic and plant-based were unsupported. In addition, FTC highlighted that Moonlight Slumber had failed to disclose that the seal was the brand's own designation. Moonlight Slumber settled the charges and agreed to prohibitions against misleading representations. The settlement also required the brand to have competent and reliable evidence supporting its claims and to avoid misrepresenting any tests or study results. Finally, the settlement prohibited the company from disseminating misleading certifications or failing to disclose any material connection to an endorser. Accompanying these prohibitions, the brand agreed to five years of record-keeping and future investigation compliance.

By contrast, in November 2024, the Southern District of New York interpreted generously the



FTC's "clear and conspicuous" standard for disclosures relating to a certification process for a green claim. *Dorris et al. v. Danone Waters of America*³. The Court found that Danone Waters of America ("Danone"), the producer of Evian water bottles, had not engaged in false advertising by labeling Evian water as "carbon neutral." Danone's back label of Evian water bottles included a reference to Evian's website with information about carbon neutrality and the standards and certification processes for its claim. The Court reasoned that those website disclosures were sufficient to mitigate concerns that consumers could have been misled at the point of sale. The case was fact-specific. Brands should not rely on website disclosures to clarify marketing claims on certifications.

Best practices

Awards, rankings, and certifications can be powerful marketing tools, but businesses must exercise

caution to ensure compliance with legal requirements and consumer expectations.

- **Obtain permission:** Ensure that any use of intellectual property is authorized or appropriately licensed.
- **Be clear and conspicuous:** Dark patterns can lead to significant penalties for a business, so clear and honest marketing is critical. Avoid using confusing language or otherwise misleading consumers.
- **Disclose material connections:** If the brand has a material connection to the issuer of the award (or has self-certified), such connection must be disclosed clearly and conspicuously. The FTC is particularly interested in material connections to third-party ranking services.
- **Support claim:** Ensure that any claims included in marketing materials can be supported with adequate evidence. In addition, all awards or certifications

¹ <https://www.federalregister.gov/documents/2023/07/26/2023-14795/guides-concerning-the-use-of-endorsements-and-testimonials-in-advertising>
² <https://www.ftc.gov/legal-library/browse/cases-proceedings/182-3180-lendedu-et-al-matter>
³ https://climatecasechart.com/wp-content/uploads/case-documents/2024/20241114_docket-722-cv-08717_opinion-and-order.pdf

should relate to normal consumer use of a product.

- **Review for compliance:** Regularly review all marketing materials that include awards, rankings, or self-certifications to ensure compliance with FTC Guidelines. Additionally, ensure that employees who focus on marketing materials are trained on FTC requirements and the importance of clear and conspicuous disclosures.

By understanding the legal landscape and avoiding common pitfalls, companies can use third-party awards and self-certifications to their advantage without risking legal repercussions.

Contact

Cowan, Liebowitz & Latman, P.C.
21st Floor, 114 West 47th Street,
New York, NY 10036-1525, US
Tel: +1 212 790 9200
law@cll.com
www.cll.com

- PATENTS
 - EP VALIDATIONS
 - PCT NATIONAL APPLICATIONS
- TRADEMARKS
 - MODELS
 - COPYRIGHT
 - DOMAIN NAMES
- SEARCHES
 - PORTFOLIO SEARCHES
 - COMPANY NAME SEARCHES
 - LICENSING
 - ASSIGNMENTS
- OPPOSITIONS
- LITIGATIONS
- CUSTOMS ACTIONS
- ANTICOUNTERFEITING
- RENEWALS
- ANNUITIES

Your Intellectual Property agent in Eastern Europe and Asia
European Patent and Trademark Attorneys
Domain name registrar (.si)

European countries

Slovenia | Croatia | Bosnia and Herzegovina | Serbia | Kosovo | Montenegro | Macedonia | Albania | Bulgaria | Czech Republic | Cyprus | Greece | Hungary | Poland | Romania | Slovak Republic | Turkey | Estonia | Lithuania | Latvia

Eurasia

Russia | Armenia | Azerbaijan | Belarus | Georgia | Kazakhstan | Kyrgyzstan | Moldova | Tajikistan | Turkmenistan | Ukraine | Uzbekistan | Mongolia



Mark-Inventa Co., Ltd.
Glinška ulica 14, SI-1000 Ljubljana, Slovenia
P.O. BOX 2948, 1001 Ljubljana, Slovenia
p: + 386 1 4266 503 and + 386 1 5404 331
f: + 386 1 2510 508 and + 386 1 5243 118
e: office@mark-inventa.si
url: www.mark-inventa.com

“Self-certifications and marketing claims related to health, safety, or environmental impact are likely to face a high level of scrutiny.”



MARKS n BRANDS
INTELLECTUAL PROPERTY

SERVICES

- ★ Trademarks ★ Patents ★ Industrial designs ★ Brand Valuation
- ★ Licensing & Franchise ★ IP Due Diligence ★ IP Rights Counselling
- ★ Domain Names ★ Patents & Trademarks Commercialization

EXPANDING OUR REACH ACROSS
United Arab Emirates | Saudi Arabia | Qatar | Oman
| Kuwait | Bahrain

+971 56 936 7973 PO box 234824 Dubai, United Arab Emirates
marksnbrandsip.com info@marksnbrandsip.com

Directory of Services

ARGENTINA



O'Conor & Power

O'Conor & Power's trademark and patent practice group has wide experience in handling portfolios for international and domestic companies in Argentina and Latin America. Our services in the region include searches, filing and registration strategies, prosecution, opposition, renewals, settlement negotiations, litigation, enforcement and anti-counterfeiting procedures, recordal of assignments, licences, registration with the National Custom Administration, audit and IP due-diligences, general counselling in IP matters, and counselling in IP matters in Argentina and the region.

Address: San Martín 663, 9th Floor,
(C1004AAM) Buenos Aires, Argentina
Tel/Fax: 005411 4311-2740
005411 5368-7192/3
Website: www.oconorpower.com.ar
E-mail: soc@oconorpower.com.ar
ocp@oconorpower.com.ar
oconor@oconorpower.com.ar

ARMENIA



Yakhnina & Partners

The team at "Yakhnina & Partners" comprises of highly-qualified patent and trademark attorneys and lawyers. Major areas of expertise of our patent team: Chemistry, Pharmaceuticals, Biotechnology, Biochemistry, Life Science etc.

We handle our clients' cases in Armenia, Russia, Kyrgyzstan, at Eurasian Patent Office, and cooperate with partners and associates in other Eurasian countries: Georgia, Belarus, Kazakhstan, Azerbaijan, Turkmenistan, Uzbekistan, Moldova, Tajikistan.

Our attorneys are members of INTA, FICPI, AIPI, LESI, ECTA, PTMG.

Address: Yerevan, Republic of Armenia
Tel: +374 91 066393
Email: Armenia@vakhnina.com
Website: <http://about.vakhnina.com>
Contact: Dr. Alexey Vakhnin, Partner

BAHRAIN



United Trademark & Patent Services

International Intellectual Property Attorneys

United Trademark and Patent Services is a leading firm of lawyers and consultants specializing in Intellectual Property (IP) Rights and Issues. Our services include searching, filing, prosecution, registration, licensing, franchising, transfer of technology, arbitration, dispute resolution, enforcement & litigation, anti-counterfeiting, due diligence and counselling.

Address: United Trademark & Patent Services
Office 21, Sabha Building No. 338
Road 1705, Block 317 Diplomatic Area,
Manama, Bahrain
Website: www.utmps.com
Email: Bahrain@unitedtm.com &
unitedtrademark@unitedtm.com
Contact: Talal F.Khan & Mr Imad

GUATEMALA



Merida & Asociados

The firm provides services throughout the range of different legal matters, specializing in the banking industry both nationally and internationally, business law, banking law, trademarks and patents, litigation, notary law, litigation and arbitration. We are a very well-known law firm for Intellectual Property in Guatemala. Our office serves clients from abroad, including clients from Europe and the United States, as well as Japan and other countries.

Address: 20 calle 12-51 "A" zona 10,
Guatemala City, 01010, Guatemala
Armando Mérida, Section 019170,
P.O. Box 02-5339, Miami, Florida,
33102-5339, USA
(502) 2366 7427
Tel: <http://www.meridayasociados.com.gt/en>
Website: <http://www.meridayasociados.com.gt/en>
Email: corporativo@meridayasociados.com.gt
Contact: Armando Merida

INDIA



Chandrakant M Joshi

Our law firm has been exclusively practicing Intellectual Property Rights matters since 1968. Today, Mr. Hiral Chandrakant Joshi heads the law firm as the senior most Attorney. It represents clientele spread over 35 countries. The law firm conducts search, undertakes registration, post-registration IP management strategies, IP valuation, infringement matters, domain name disputes and cyber law disputes of patents (including PCT applications), trademarks, industrial designs and copyrights.

Address: 6th Floor, Solitaire-II, Link Road,
Opp. Infinity Mall, Malad (West),
Mumbai 400 064, India.
Tel: +91 22 28886856 / 57 / 58 / 64
Fax: +91 22 28886859 / 65
Website: www.cmjoshi.com
Email: mail@cmjoshi.com
patents@cmjoshi.com
trademarks@cmjoshi.com

INDIA



PATENT AND TRADEMARK ATTORNEYS

L. S. DAVAR & CO.
ESTD. 1932 NEW DELHI-KOLKATA-BENGALURU
COMMITTED TO PROTECTING INNOVATIONS

L.S. DAVAR & CO.

We are India's oldest Intellectual Property and Litigation Firm. Since 1932, we have been as a trusted IP partner of Global Large and Mid-size companies and foreign IP law firms. We have been widely acknowledged by Govt. of India. In the last 90 years, we have retained number one position in India in not only filing the Patents, Designs, Trademarks, Copyright, and Geographical Indications but also in getting the grants.

Tel: 033- 2357 1015 / 1020
Fax: 033 - 2357 1018
Website: www.lsdavar.com
Email: mailinfo@lsdavar.in
Contact: Dr Joshita Davar Khemani
Mrs. Dahlia Chaudhuri

BANGLADESH



Old Bailey Chambers

OLD BAILEY Chambers is a full-service intellectual property law firm in Bangladesh. OLD BAILEY also has expertise in technology, data protection and competition law practice.

The firm is widely acknowledged for its pioneering endeavours in the areas of intellectual property, technology, and competition law practice.

OLD BAILEY's international clientele includes number of Fortune 300 and 500 companies, and renowned brands. OLD BAILEY also represents number of local companies and brands that are market leaders in their respective fields, and number of networth individuals, socialites and several leading celebrities representing the local music, film and TV industries.

Website: <https://www.oldbaileybd.com/>
Email: mishbah@oldbaileybd.com
Tel: +8801727444888

BOLIVIA

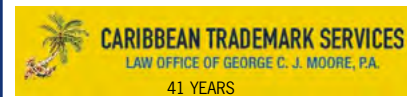


Landivar & Landivar

Established by Gaston Landivar Iturricha in 1961, Landivar & Landivar is a pioneer firm in the field of Intellectual Property in Bolivia. Our international reputation was gained through a competent and complete legal service in our area of specialization. Our firm has grown into a Chain of Corporate Legal Services and Integral Counseling, with the objective of guiding national and international entrepreneurs and business-people towards the success of their activities.

Address: Arce Ave, Isabel La Catolica Square,
N° 2519, Bldg. Torres del Poeta, B
Tower, 9th floor, off. 902. La Paz,
Bolivia, South America
Tel/Fax: +591-2-2430671 / +591 79503777
Website: www.landivar.com
Email: ip@landivar.com - info@landivar.com
Contact: Martha Landivar, Marcial Navia

CARIBBEAN



CARIBBEAN TRADEMARK SERVICES

Law Office of George C.J. Moore, P.A.

Caribbean Trademark Services, founded by George C.J. Moore in 1981, provides a single contact source of protecting trademarks and patents in the Caribbean. Covering 29 countries, including Belize, Bermuda, Costa Rica and Cuba; a bilingual staff provides IP services tailored to the diverse jurisdictions. Experienced staff members and volume transactions, services are efficient making our single contact, long established source for the Caribbean most cost effective.

Address: 2855 PGA Boulevard, Palm Beach
Gardens, Florida 33410, USA
Tel: +1 561 833-9000
Fax: +1 561 833-9990
Contact: Michael Slavin
Website: www.CaribbeanTrademarks.com
Email: IP@CaribbeanTrademarks.com

ISRAEL



Gold Patents and Financial Services (1992) Ltd.

Gold Patents and Financial Services (1992) Ltd. is an intellectual property solution provider firm that operates in Israel as well as worldwide. We specialize in providing evaluation and analyses of IP portfolios; prosecuting and drafting complex patent, design, and trademark applications; freedom-to-operate, due diligence, patentability, validity and infringement opinions. We provide high quality services and solutions that support our clients' business goals and deliver superior IP services in a timely and cost-effective manner.

Address: 15 Yohanan Hasandlar St., Haifa 31251
Tel/Fax: +972-48110007 / +972-46892283
Website: www.gold-patent.co.il
Email: office@gold-patent.co.il
Contact: Marganit Goldraich

JORDAN



United Trademark & Patent Services

International Intellectual Property Attorneys

United Trademark and Patent Services is a leading firm of lawyers and consultants specializing in Intellectual Property (IP) Rights and Issues. Our services include searching, filing, prosecution, registration, licensing, franchising, transfer of technology, arbitration, dispute resolution, enforcement & litigation, anti-counterfeiting, due diligence and counselling.

Address: United Trademark & Patent Services
Suite 7, 2nd Floor, Chicago Building,
Al Abdali, P.O. Box 925852, Amman,
Jordan
Website: www.utmps.com
Email: jordan@unitedtm.com &
unitedtrademark@unitedtm.com
Contact: Mrs Fatima Al-Heyari

KYRGYZSTAN



Yakhnina & Partners

The team at "Yakhnina & Partners" comprises of highly-qualified patent and trademark attorneys and lawyers.

We handle our clients' cases in Kyrgyzstan, Russia, Armenia, at Eurasian Patent Office, and cooperate with partners and associates in other Eurasian countries: Georgia, Belarus, Kazakhstan, Azerbaijan, Turkmenistan, Uzbekistan, Moldova, Tajikistan. Our attorneys are members of INTA, FICPI, AIPI, LESI, ECTA, PTMG.

Address: Bishkek, Kyrgyz Republic
Tel: +996-551-655-694
Email: ip@vakhnina.com
Website: <https://www.vakhnina.com>
Contact: Dr. Alexey VAKHNIN and
Mr. Vlad PEROV

COLOMBIA



VERA ABOGADOS ASOCIADOS S.A.

VERA ABOGADOS was founded 53 years ago to attend to legal needs of the business sector in the area of IP. Today they provide their services to all fields of law. The law firm is a reference in the Andean community and they are part of international associations such as INTA, ASIPI, ABPI and ASPI. They were ranked by Leaders League as a highly recommended Colombian law firm and in addition, they are a member of PRAGMA, the International Network of Law Firms. The law firm currently has direct offices in Colombia and Ecuador.

Tel: +57 6017561413
Cel: +57 3153542222
Website: www.veraabogados.com
Email: info@veraabogados.com
Contact: Carolina Vera Matiz, Natalia Vera Matiz

DJIBOUTI



United Trademark & Patent Services

International Intellectual Property Attorneys

United Trademark and Patent Services is a leading firm of lawyers and consultants specializing in Intellectual Property (IP) Rights and Issues. Our services include searching, filing, prosecution, registration, licensing, franchising, transfer of technology, arbitration, dispute resolution, enforcement & litigation, anti-counterfeiting, due diligence and counselling.

Address: United Trademark & Patent Services
Djibouti Branch Djibouti,
Rue Pierre Pascal, Q. commercial Imm,
Ali Warki, Djibouti
Website: www.utmps.com
Email: Djibouti@unitedtm.com &
unitedtrademark@unitedtm.com
Contact: Imad & Faima Al Heyari

GUATEMALA



Ideas Trademarks Guatemala, S.A.

Ideas is a firm specialized in the defense of intellectual property rights, offering advice on all kinds of issues related to them and in the management of portfolios of distinctive signs and patents, at competitive prices, in the Central American and Caribbean region. Ideas is focused on meeting the needs and solving the problems of its clients, setting clear expectations and obtaining creative solutions with minimal exposure and cost-effective. Proactivity has determined our constant growth and modernization, maintaining a high standard of quality and satisfaction in our professional services.

Tel: +502 2460 3030
Website: <https://www.ideasips.com/?lang=en>
Email: guatemala@ideasips.com
Contact: Gonzalo Menéndez, partner,
gmenendez@ideasips.com
Gustavo Noyola, partner,
noyola@ideasips.com

LEBANON



United Trademark & Patent Services

International Intellectual Property Attorneys

United Trademark and Patent Services is a leading firm of lawyers and consultants specializing in Intellectual Property (IP) Rights and Issues. Our services include searching, filing, prosecution, registration, licensing, franchising, transfer of technology, arbitration, dispute resolution, enforcement & litigation, anti-counterfeiting, due diligence and counselling.

Address: United Trademark & Patent Services
6th Floor, Burj Al Ghazal Building, Tabaris,
P. O. Box 11-7078, Beirut, Lebanon
Website: www.utmps.com
Email: lebanon@unitedtm.com &
unitedtrademark@unitedtm.com
Contact: Hanadi

LUXEMBOURG



Patents and Trademarks

Patent42

Patent 42 is a leading law firm offering a full range of services in the field of Intellectual Property rights. Our team of high-qualified patent and trademark attorneys are entitled to represent client's interests in Europe, Luxembourg, France and Belgium. Patent 42 provides concrete and careful solutions in the area of patents, trademarks and designs. We support clients in all stages of elaboration and implementation of an intellectual property strategy adapted to your needs at both national and international level.

Whatever your question is, we will find an answer for you.

Address: BP 297, L-4003 Esch-sur-Alzette,
Luxembourg
(+352) 28 79 33 36
Tel: www.patent42.com
Website: www.patent42.com
Email: info@patent42.com

MALAYSIA



MarQonsult IP

MarQonsult® was established in February 2002 and is located in Petaling Jaya, nearby the MyIPO. MarQonsult® was founded by Clara C F Yip, who holds a double degree in law and economics from Auckland University, NZ. MarQonsult® is synonymous with effective delivery of services marked by its: quick response time; in-depth client counselling; affordability and adaptability; commercially viable IP strategies; result-oriented approach; and a high rate of success.

Tel: +603 78820456
Fax: +603 78820457
Website: www.marqonsult.com
Email: clara@marqonsult.com
Contact: Clara C F Yip (Ms)

Directory of Services

MAURITIUS



Yusuf S Nazroo

IP Agent/Consultant
Member of CITMA-INTA-APAA-AIPPI

Address: 12 Frère Félix De Valois Street,
Port Louis, Mauritius
Tel: + 230 57 14 09 00
Fax: + 230 212 27 93
Website: <http://yn-trademark.com>
Email: ynazroo@intnet.mu



*Greetings from
Mauritius the
Rainbow Island*

MEXICO



Goodrich Riquelme Asociados

Our staff of attorneys, engineers and computer specialists help adapt foreign patent specifications and claims to Mexican law, secure patent inventions and trademark registrations and maintain them by handling the necessary renewals. Our computer system, which is linked to the Mexican Patent and Trademark Department, permits us to provide our clients with a timely notice of their intellectual property matters. We also prepare and register license agreements.

Address: Paseo de la Reforma 265, M2, Col. Y Del. Cuauhtemoc, 06500 Mexico, D.F.
Tel: (5255) 5533 0040
Fax: (5255) 5207 3150
Website: www.goodrichriquelme.com
Email: mailcentral@goodrichriquelme.com
Contact: Enrique Diaz
Email: ediaz@goodrichriquelme.com

MEXICO



TOVAR & CRUZ IP-LAWYERS, S.C.

We are a specialized legal firm providing intellectual property and business law services. Founded in 2009. The purpose is that our clients not only feel safe, besides satisfied since their business needs have been resolved, so, our professional success is also based on providing prompt response and high quality, personalized service. "Whatever you need in Mexico, we can legally find the most affordable way"

Tel: +52 5528621761 & +52 5534516553
Address: Rio Mixcoac No. 25, Floor Mezzanine A, Crédito Constructor, 03940 Mexico City.
Website: www.tciplaw.mx
Email: ecruz@tciplaw.mx; mtovar@tciplaw.mx; contactus@tciplaw.mx
Contact: Elsa Cruz, Martin Tovar

POLAND



LION & LION Kancelaria Patentowa Dariusz Mielcarski

We offer:

- a full range of services related to patents, utility models, designs and trademarks in Poland as well as Community Designs and European Trademarks in the EU
- cooperation with patent agencies in all PCT countries
- preparation of patent applications from scratch for filing in the USA
- validations of EU patents in Poland,
- annuity payments

Tel: +48 663 802 804
Website: www.LIONandLION.eu
Email: patent@lionandlion.eu
Contact: Dariusz Mielcarski, Patent and Trademark Attorney

POLAND



Sigeon IP, Grzelak & Partners

Sigeon IP, Grzelak & Partners are professionals specializing in the protection of intellectual property rights, as well as in broadly defined patent, trademark, design, legal, IP- related business, management and strategic consulting. Thanks to the close cooperation within one team of the Polish and European Patent & Trademark Attorneys, Attorneys-at-Law and business advisors, we offer the highest quality "one-stop-shop" service in Poland and Europe.

Tel: +48 22 40 50 401/301
Fax: +48 22 40 50 221
Website: www.sigeon.pl/en
Email: ip@sigeon.pl
Contacts: anna.grzelak@sigeon.pl (patents, management & international cooperation)
tomasz.gawrylczyk@sigeon.pl (trademarks, designs & legal)

QATAR



United Trademark & Patent Services

International Intellectual Property Attorneys

United Trademark and Patent Services is a leading firm of lawyers and consultants specializing in Intellectual Property (IP) Rights and Issues. Our services include searching, filing, prosecution, registration, licensing, franchising, transfer of technology, arbitration, dispute resolution, enforcement & litigation, anti-counterfeiting, due diligence and counselling.

Address: Ahmed Al-Misnad Building, Building No. 241, 2nd Floor, Office 9, Street No. 361, Zone No. 37, Mohammad Bin Thani Street, Bin Omran P.O.Box : 23896 Doha
Website: www.utmps.com
Email: qatar@unitedtm.com & unitedtrademark@unitedtm.com
Contact: Ahmed Tawfik & M.Y.I. Khan

MOROCCO



United Trademark & Patent Services

International Intellectual Property Attorneys

United Trademark and Patent Services is a leading firm of lawyers and consultants specializing in Intellectual Property (IP) Rights and Issues. Our services include searching, filing, prosecution, registration, licensing, franchising, transfer of technology, arbitration, dispute resolution, enforcement & litigation, anti-counterfeiting, due diligence and counselling.

Address: United Trademark & Patent Services
58, rue Ibn Battouta 1er étage,
no 4. Casa Blanca, Morocco
Website: www.utmps.com
Email: morocco@unitedtm.com & unitedtrademark@unitedtm.com
Contact: Yawar Irfan Khan

NIGERIA



ALN Nigeria | Aluko & Oyebode

The IP practice at ALN Nigeria | Aluko & Oyebode is recognised as a leader in handling patents, trademarks, copyrights, designs, and related IP litigation in Nigeria. The Firm's IP team has an extensive trial experience and provides an incomparable expertise in a variety of IP matters, including clearance searches, protection, portfolio management, use and enforcement of trademarks, copyright, patents, design and trade secrets, licensing, technology transfer (interface with the National Office for Technology Acquisition and Promotion), franchising, media law, packaging, advertising, labelling, manufacturing and distribution agreements, and product registration with the National Agency for Food and Drug Administration and Control (NAFDAC).

Website: www.aluko-oyebode.com
Email: AOIP@aluko-oyebode.com
Contacts: Uche.Nwokocha@aluko-oyebode.com
Tel: +234 703 400 1093
Regina Onwumere (Senior Associate)

OMAN



United Trademark & Patent Services

International Intellectual Property Attorneys

United Trademark and Patent Services is a leading firm of lawyers and consultants specializing in Intellectual Property (IP) Rights and Issues. Our services include searching, filing, prosecution, registration, licensing, franchising, transfer of technology, arbitration, dispute resolution, enforcement & litigation, anti-counterfeiting, due diligence and counselling.

Address: Suite No. 702, 7th Floor, Commercial Centre, Ruwi Muscat, Sultanate of Oman, P. O. Box 3441, Postal Code 112 Ruwi, Sultanate of Oman
Website: www.utmps.com
Email: oman@unitedtm.com & unitedtrademark@unitedtm.com
Contact: S.Maqbool & T.F. Khan

RUSSIA



KHUSAINOV KHOMYAKOV

KHUSAINOV KHOMYAKOV is a full-service IP law firm with offices in Kazan (Russia) and Istanbul (Türkiye), providing services to clients in Russia and Eurasia. We specialize in a range of services, including filing and prosecuting trademark and patent applications, handling registration and protection of rights to designs, software, and copyrights, conducting patent and trademark searches, handling IP legal disputes, and supporting transactions with IP rights.

Tel: +7 843 215 00 55
Web: <https://en.khp.legal/>
Email: info@khp.legal
Contact: Ramzan Khusainov, LL.M., Managing Partner
Anton Khomyakov, Ph.D., Senior Partner

RUSSIA



Vakhnina and Partners

The team at "Vakhnina & Partners" comprises of highly-qualified patent and trademark attorneys and lawyers. Major areas of expertise of our patent team: Chemistry, Pharmaceuticals, Biotechnology, Biochemistry, etc.

We handle our clients' cases in Russia, Armenia, Kyrgyzstan, at Eurasian Patent Office, and cooperate with partners and associates in other Eurasian countries: Georgia, Belarus, Kazakhstan, Azerbaijan, Turkmenistan, Uzbekistan, Moldova, Tajikistan.

Our attorneys are members of INTA, FICPI, AIPPI, LESI, ECTA, PTMG.
Address: Moscow, Russia
Tel: +7-495-946-7075
Website: <https://www.vakhnina.com>
Email: ip@vakhnina.com
Contact: Dr. Tatiana VAKHNINA
Dr. Alexey VAKHNIN

SAUDI ARABIA



United Trademark & Patent Services

International Intellectual Property Attorneys

United Trademark and Patent Services is a leading firm of lawyers and consultants specializing in Intellectual Property (IP) Rights and Issues. Our services include searching, filing, prosecution, registration, licensing, franchising, transfer of technology, arbitration, dispute resolution, enforcement & litigation, anti-counterfeiting, due diligence and counselling.

Address: 30th Street, Olaya Opposite to Madarris Al Mustaqbil, P.O. Box 15185, Riyadh 11444, Kingdom of Saudi Arabia
Website: www.utmps.com
Email: saudia@unitedtm.com & unitedtrademark@unitedtm.com
Contact: Dr.Hasan Al Mulla & Justice R Farrukh Irfan Khan

PAKISTAN



Bharucha & Co.

Bharucha & Co., established in 1948, is one of Pakistan's oldest and most respected law firms. It serves a diverse global clientele across trade, commerce, industry, and government, with a strong presence in North America, Europe, Asia, the Middle East, and the Far East. Renowned for its high rankings by legal rating organizations, the firm offers a wide range of legal services including intellectual property, family law, non-profit organization law, company law, real estate, property law, franchising, and litigation.

Tel: +92 21 3537 9544
Fax: +92 21 3537 9557-58
Website: www.bharuchaco.com
Email: email@bharuchaco.com
Contact: Mohammad Fazil Bharucha, Tayseer Fazil Bharucha

PAKISTAN



United Trademark & Patent Services

International Intellectual Property Attorneys
Specialising in Trademarks, Patents, Designs, Copyrights, Domain Name Registration, Litigation & Enforcement services.

Address: 85 The Mall Road, Lahore 54000, Pakistan
Tel: +92 42 36285588, +92 42 36285590, +92 42 36285581, +92 42 36285584
Fax: +92 42 36285585, +92 42 36285586, +92 42 36285587
Website: www.utmps.com & www.unitedip.com
Email: unitedtrademark@unitedtm.com
Contact: Yawar Irfan Khan, Hasan Irfan Khan

POLAND



FGGH IP Patent and Law Firm

The team of FGGH IP Law Office consists of patent attorneys and attorneys at law who represent clients before the competent offices and provide services related to obtaining and enforcing exclusive rights to inventions, utility models, trademarks, industrial designs, validation of EP patents. We represent clients in IP infringement proceedings before Polish and EU administrative/civil courts, including the UPC. Located in three the biggest cities in Poland: Warsaw, Gdansk and Cracow.

Tel: +48 570 055 598 Alicja, Cracow
+48 508 296 773 Piotr, Warsaw
+48 664 706 048 Helena, Warsaw
+48 530 163 922 Iwona, Gdansk
Website: www.fgghip.com
Email: contact@fgghip.com
Contact: Helena Gajek, Iwona Plodziech-Hennig

SRI LANKA



Julius & Creasy

Julius and Creasy is one of the oldest civil law firms in Sri Lanka. Founded in 1879, the firm has established itself on rich tradition and the highest professional principles. Julius and Creasy's wealth of expertise and experience in a wide range of specialised fields of Law enables it to offer innovative legal and business solutions to a diverse, sophisticated and high-profile clientele. The Intellectual Property practice of the firm includes enforcement, management and transactional matters. The firm has acted for several Fortune 500 companies and is Sri Lanka correspondent of several firms in Europe, USA and Asia.

Address: No. 371, R A De Mel Mawatha, Colombo 3, Sri Lanka
Tel: 94 11-2336277
Website: www.juliusandcreasy.com
Email: anomi@juliusandcreasy.lk
Contact: Mrs Anomi Wanigasekera

SRI LANKA



United Trademark & Patent Services

International Intellectual Property Attorneys

United Trademark and Patent Services is a leading firm of lawyers and consultants specializing in Intellectual Property (IP) Rights and Issues. Our services include searching, filing, prosecution, registration, licensing, franchising, transfer of technology, arbitration, dispute resolution, enforcement & litigation, anti-counterfeiting, due diligence and counselling.

Address: U.T.P.S Lanka (Pvt) Ltd
105, Hunupitiya Lake Road,
Colombo - 2, Sri Lanka
Website: www.utmps.com
Email: srilanka@unitedtm.com & unitedtrademark@unitedtm.com
Contact: Krishni & M.F. Khan

SWEDEN



Fenix Legal

Fenix Legal, a cost-efficient, fast and professional Patent and Law firm, specialized in intellectual property in Europe, Sweden and Scandinavia. Our consultants are well known, experienced lawyers, European patent, trademark and design attorneys, business consultants, authorized mediators and branding experts. We offer all services in the IP field including trademarks, patents, designs, dispute resolution, mediation, copyright, domain names, IP Due Diligence and business agreements.

Tel: +46 8 463 50 16
Fax: +46 8 463 10 10
Website: www.fenixlegal.eu
Email: info@fenixlegal.eu
Contacts: Ms Maria Zankova
Mr Petter Rindforth



Directory of Services

TAIWAN, ROC



Deep & Far Attorneys-at-law

Deep & Far attorneys-at-law deal with all phases of laws with a focus on IPRs, and represent some international giants, e.g. InterDigital, MPS, Schott Glas, Toyo Ink, Motorola, Cypress. The patent attorneys and patent engineers in Deep & Far normally are generally graduated from the top five universities in this country. More information regarding this firm could be found from the website above-identified.

Address: 13 Fl., 27 Sec. 3, Chung San N. Rd., Taipei 104, Taiwan
Tel/Fax: 886-2-25856688/886-2-25989900
Website: www.deepnfar.com.tw
Email: email@deepnfar.com.tw
Contact: C.F. Tsai, Yu-Li Tsai

TANZANIA



United Trademark & Patent Services

International Intellectual Property Attorneys
 United Trademark and Patent Services is a leading firm of lawyers and consultants specializing in Intellectual Property (IP) Rights and Issues. Our services include searching, filing, prosecution, registration, licensing, franchising, transfer of technology, arbitration, dispute resolution, enforcement & litigation, anti-counterfeiting, due diligence and counselling.

Address: United Trademark & Patent Services
 Shauri Mayo Area, Pugu Road,
 Dar-Es-Salaam, Tanzania
Website: www.utmps.com
Email: tanzania@unitedtm.com &
unitedtrademark@unitedtm.com
Contact: Mr Imad & Fatima Al Heyari

TURKMENISTAN



Nariman Sonin Bureau

Nariman Sonin Bureau is one of the first bureaus in Turkmenistan in the field of intellectual property protection. The bureau's specialists prepare documents for filing applications for inventions, industrial designs and trademarks, provide case processing, prepare and file objection, appeals, searches, registration of rights transfer treaties, license agreements, renewal of industrial property rights also.

Tel: +(99312) 48 46 95
Fax: +(99312) 48 61 23
Website: www.soninbureau.pro
Email: Nariman@soninbureau.com
Name: Nariman SONIN
Job title: Patent & Trademark Attorney
Email: Nariman@soninbureau.com

UNITED ARAB EMIRATES



Marks n Brands Intellectual Property

MnB IP is a specialized IP firm providing high quality services including the registration and maintenance of trademarks, industrial designs, patents and copyrights in the United Arab Emirates, Saudi Arabia, Oman, Bahrain, Kuwait and across the MENA (Middle East & North Africa) region for both the individual and corporate clients. We are committed to provide high quality professional services through personal attention to the clients' needs.

Tel: +971 56 936 7973
Website: www.marksnbrandsip.com
Email: info@marksnbrandsip.com
Contact: Mahin Muhammed

U.A.E.



United Trademark & Patent Services

International Intellectual Property Attorneys
 United Trademark and Patent Services is a leading firm of lawyers and consultants specializing in Intellectual Property (IP) Rights and Issues. Our services include searching, filing, prosecution, registration, licensing, franchising, transfer of technology, arbitration, dispute resolution, enforcement & litigation, anti-counterfeiting, due diligence and counselling.

Address: United Trademark & Patent Services
 Suite 401-402, Al Hawai Tower,
 Sheikh Zayed Road, P.O. Box 72430,
 Dubai, United Arab Emirates
Website: www.utmps.com
Email: uae@unitedtm.com &
unitedtrademark@unitedtm.com
Contact: M.F.I. Khan, SM. Ali & Maria Khan

UKRAINE



ElMar-IP Agency

ElMar-IP Agency was founded in 2010 and specializes in the intellectual property rights protection in Ukraine. Providing of services by specialists with more than 15 years' experience, professional competence and education, competitive prices with client budget orientation allow us to provide our clients with the range of IP services including representation before the Trademark and Patent Office, the Board of Appeal and in court procedures.

Tel: +38 093 587 91 25
Website: <https://elmar-ip.com/>
Email: elmarip33@gmail.com
clients@elmar-ip.com
Contact: Mrs. Elvira Volkova
 Mrs. Julia Postelnik

UKRAINE



Pakharenko & Partners

Pakharenko & Partners provides full IP service coverage in Ukraine, CIS countries and Baltic states and has offices in Kyiv and London. We pride ourselves on an exclusive expertise and experience in the fields of IP law, anti-counterfeiting and anti-piracy, pharmaceutical law, competition law, advertising and media law, corporate law, litigation and dispute resolution.

Address: P.O.Box 78, 03150 Kyiv, Ukraine
Visiting: Business Centre 'Olimpiysky',
 72 Chervonoarmijska Str.,
 Kyiv 03150, Ukraine
Tel: +380(44) 593 96 93
Fax: +380(44) 451 40 48
Website: www.pakharenko.com
Email: pakharenko@pakharenko.com.ua
Contact: Antonina Pakharenko-Anderson
 Alexander Pakharenko

VIETNAM



Pham & Associates

Established in 1991, staffed by 110 professionals including 14 lawyers and 34 IP attorneys, Pham & Associates is a leading IP law firm in Vietnam. The firm has been being the biggest filers of patents, trademarks, industrial designs and GIs each year and renowned for appeals, oppositions, court actions, out-of-court agreements and handling IP infringements. The firm also advises clients in all aspects of copyright and other matters related to IP.

Tel: +84 24 3824 4852
Fax: +84 24 3824 4853
Website: www.pham.com.vn
Email: hanoi@pham.com.vn
Contact: Pham Vu Khanh Toan, Managing Partner,
 General Director
 Tran Dzung Tien, Senior IP Consultant

VIETNAM



Tri Viet & Associates

Tri Viet & Associates is a registered and fully licensed IP & LAW FIRM based in Hanoi, Vietnam. The firm provides a full range of IP services, strongly focuses on PATENT and PCT services, in a wide range of industries and modern technologies, in Vietnam, Laos, Cambodia, Myanmar, and other jurisdictions upon client's inquiries.

Tri Viet & Associates is a member of AIPPI, INTA, APAA, VBF, HBA, VIPA.
Tel: +84-24-37913084
Fax: +84-24-37913085
Website: www.trivietlaw.com.vn
Email: info@trivietlaw.com.vn
Contact: Nguyen Duc Long (Mr.),
 Managing Partner,
 Reg. Patent & Trademark Attorney
<https://www.linkedin.com/in/longnguyen-tva>
Linkedin:

SAVE THE DATE



XXIII CONGRESS

HILTON HOTEL BUENOS AIRES

From November 30

to December 3





CORNER STONE & PARTNERS



CORNER STONE
& PARTNERS

北京康隆律师事务所

CORNER STONE & PARTNERS, Winner of Trademark Lawyer Top 10 Trademark Firms in China 2024, is a boutique law firm established in 2010 specializing in intellectual property matters. Our team of experienced professionals are dedicated to delivering quality services and solutions to address our clients' IP needs in China.

Key Practices:

Patent
Litigation
Copyright
Trademark
Domain Name
Anti-infringement &
Anti-counterfeiting

Contact us

Tel.: +86 10 84464600
Fax: +86 10 84464908
Email: law@cornerstoneip.com.cn
Web: www.cornerstoneip.com.cn

Address: 1905-6 Tower B, TYG Center, No.2,
Dongsanhuan North Road, Chaoyang
District, Beijing 100027, China

A Foundation to Your Success