

LEGALLY ROOTED[®] NEWSLETTER

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Dear Readers,

Welcome to the 11th Issue of Singh & Singh Law Firm LLP's Newsletter. We're excited to bring you the latest developments in the ever-evolving world of Intellectual Property (IP) litigation.

In this edition, we highlight the recent landmark decisions in patent and trademark law, including the pivotal victories we secured for our clients.



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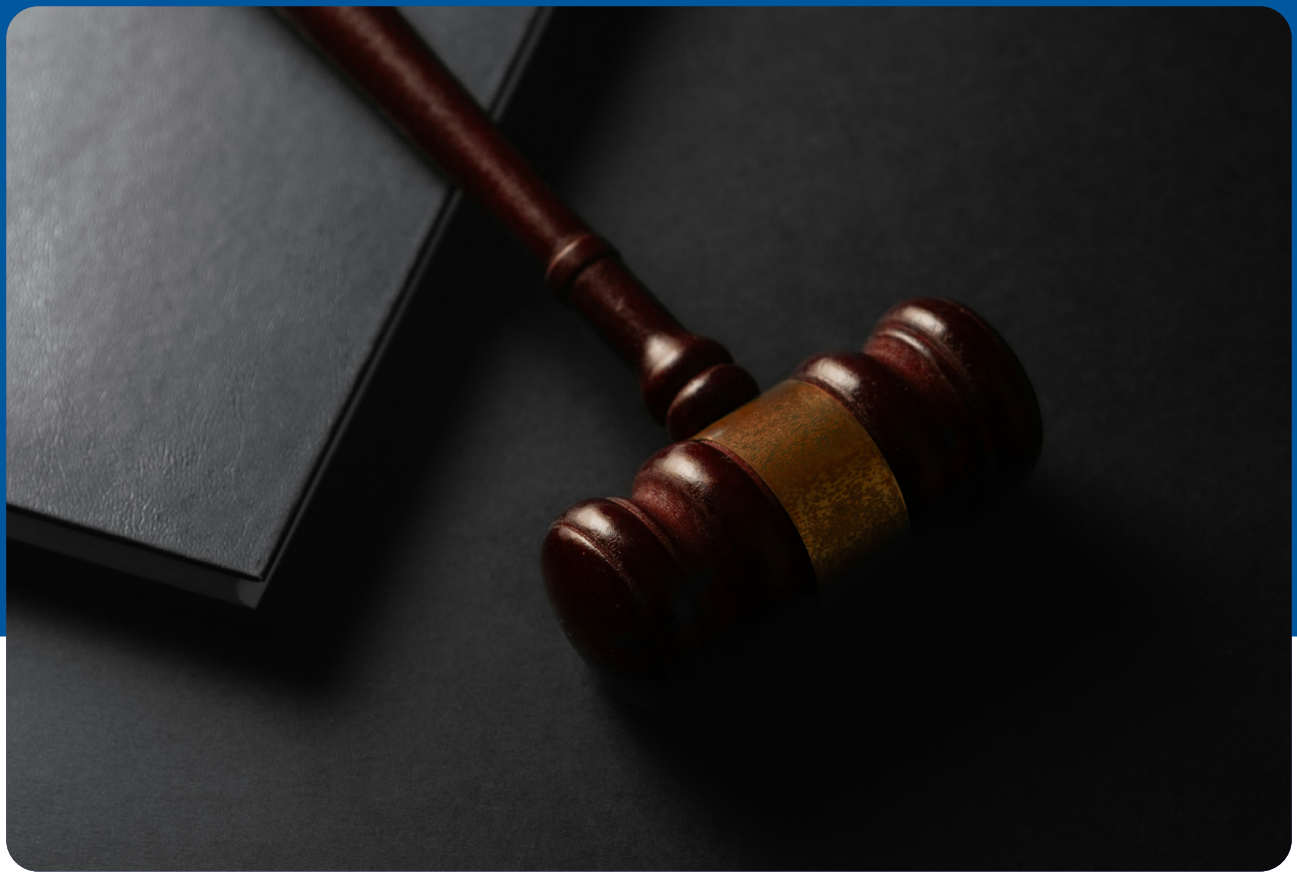
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Delhi High Court Restores Injunction in Favour of Mold-Tek in Patent Dispute

Case Reference: Neway Industries Pvt. Ltd. V. Mold Tek Packaging Limited” (FAO (Comm) 235/2025 With Mold-Tek Packaging Limited Vs Neway Industries Pvt. Ltd (FAO (Comm) 241/2025)

The Division Bench of Delhi High Court, on Wednesday set aside the Order passed by a trial Court partially, reinstating injunction in favour of Mold-tek Packaging Private Limited for its proprietary patents.

This was an appeal by Mold-tek Packaging Limited against the order of the trial court where the trial court had partially vacated the injunction order, granted earlier in favour of Plaintiff. The Appellant was represented by Mr. Jayant Mehta, Senior Advocate who highlighted the glaring errors in the impugned order by the trial court and submitted that the order, as passed, cannot sustain the scrutiny of law.

While considering the appeal, Justice C. Harishankar said that, the purpose of filing of written submissions before the court is to enable counsel to identify the issues which are urged and asserted during arguments. The Court further clarified that counsel is at liberty

to argue only some of the grounds pleaded, and an appellate court would examine the correctness of the order only with respect to the issues actually argued before the court passing the order.

The Court has also observed that, in the absence of substantial submissions, bare allegations of anticipation and obviousness cannot survive.

Setting aside the trial court’s findings on the aspect of invalidity of suit patent IN298724, the Court noted that the trial court, had returned findings of lack of novelty and obviousness, without making reference to any specific prior art that caused the patent to be obvious and lacking novelty. Hence, the observation passed on the basis of mere perceived similarity between the suit patent and prior art were held to be unsustainable in the light of settled law.

While upholding the findings of infringement, the Ld. Division Bench remanded the matter for de novo consideration on the aspect of invalidity of Plaintiff's suit patent. The Court found that the trial court has erred in reversing the burden of proof onto the Plaintiff in establishing a plea of invalidity within the meaning of Section 107 of the Patents Act, 1970. The Court said that in the Patents Act, once a prima facie case of infringement is made out, as Section 107 provides a defence in cases of infringement, where a credible challenge to the validity to the suit patent on one or more of the grounds envisaged in Section 64 is made out, the onus in that regard has to be on the defendant and not on the plaintiff.

Further, the Court, once again, reiterated the importance of claim-mapping, terming it a "necessary element of any patent infringement suit."

The Court, partially upholding the order for infringement for one of the suit patents, and remanding the remaining for fresh consideration over the validity of another, said that this would ipso facto, restore the position as it stood prior to its rendition, i.e., the earlier existing ex parte ad interim order would stand revived.

Counsel for Mold Tek Packaging Ltd : Mr. Jayant K. Mehta, Sr. Adv. with Mr. Ashutosh Kumar, Mr. Vinod Chauhan, Ms. Radhika Pareva, Mr. Adithya B., Mr. Yagya Passi, Mr. Ayush Sharma and Mr. Om, Advs.



Ashutosh Kumar
Senior Partner



Vinod Chauhan
Principal Associate



Radhika Pareva
Associate

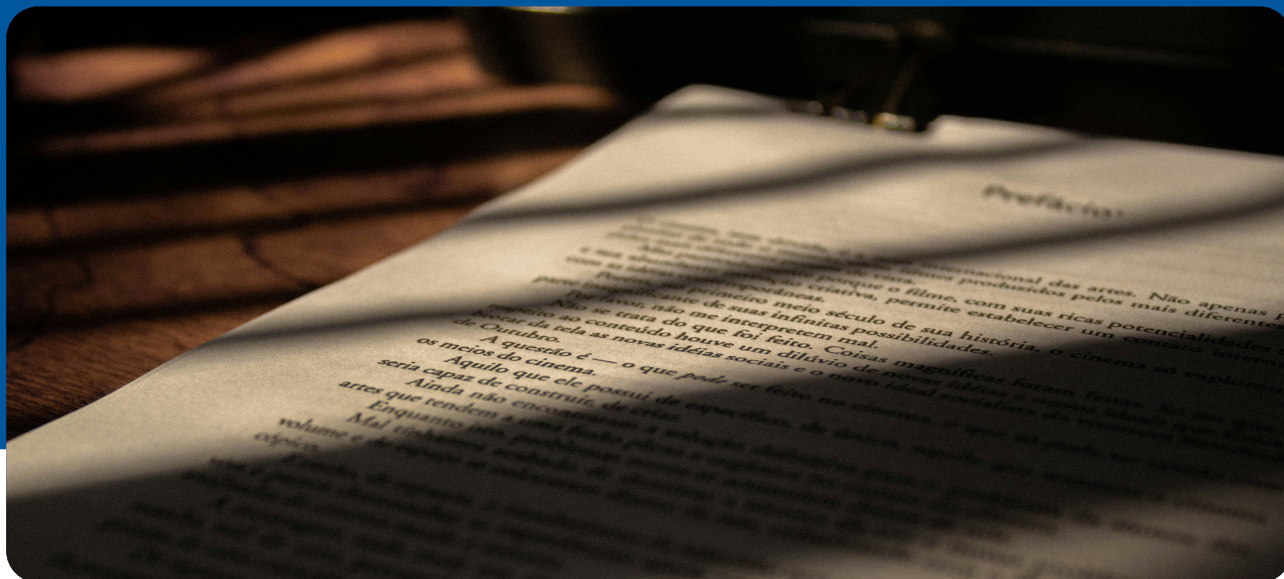


Adithya B.
Associate



Yagya Passi
Associate

Key Case Updates at the Firm



Delhi HC remands Trademark refusal after major errors in Registrar's Order

Case reference: JYOTI SHARMA v. THE REGISTRAR OF TRADE MARKS C.A.(COMM.IPD-TM) 70/2025 & IA No. 26491- 93/2025

Devanshu Khanna, Partner and Partheshwar Singh, Associate

Summary

The proceedings pertained to an appeal under Section 91 of the Trade Marks Act, 1999, challenging the

order of refusal passed by the Ld. Trademark Registrar. The application for the subject matter device mark, made under Class 9, was refused initially. However, the Hon'ble Delhi High Court found multiple factual inaccuracies in the said order under appeal. The Ld. Registrar had recorded the subject matter device mark to be a word mark, in addition to observing that the same had been filed for services instead of goods. Furthermore, the order under appeal also recorded a lack of evidence pertaining to the use of the mark, despite the fact that the application was made on a proposed to be used basis and that the applicant had subsequently filed their affidavit of use.

The Hon'ble Delhi High Court observed that the order under appeal lacked proper assessment of the subject matter mark's distinctiveness, artistic work, and additional elements. Therefore, the Hon'ble Court was pleased to set aside the order of the Ld. Registrar and directed the matter back before the Registry to be assessed on its merits. The Trademark Registry was further directed to provide a fresh hearing within three weeks.



Devanshu Khanna
Partner



Partheshwar Singh
Associate



Delhi HC calls out flawed departmental inquiry, rejects UoI Petition against DRDO Scientist

Case reference: Union of India v. Dr. A.K. Tyagi W.P. (C) 12016/2022 Division Bench

Swarnil Dey, Senior Associate and Vishwambher Bareja, Associate

- Chronologically, the case pertains to prosecution of the DRDO Scientist ('Respondent/Charged Officer') in a departmental enquiry for alleged lapses in procurement of materials for the department in 2005-2006.
- After a series of internal inquiries, the Officer was formally charged after 7 years in 2013. An Inquiry Officer ('IO') was appointed who completed the inquiry/trial in 2015.
- The Competent Authority acting on their IO Report finally penalised the Charged Officer in 2018.
- The Competent Authority's penal action was challenged before the CAT, and CAT set aside the penalty in 2019 and criticised the manner of inquiry for being pre-meditated.
- The Department finally challenged the CAT Order in 2022.

Findings

- The Hon'ble Court found at the outset that the Competent Authority brushes aside the explanation given by the Charged Officer and that its final report was non-speaking. That The IO proceeded on other assumptions to hold the same to be partially proved on a basis which was not even the charge framed against the Charged Officer.
- That the CAT rightly did not re-appreciate the evidence, but correctly found that the inquiry was based on no evidence and contrary to its own record.

- Finally, the Hon'ble Court concluded stating that the petition was all the more non-maintainable as after years

the Department attacked its own Inquiry Officer in the petition, basis whose report the penalty was imposed.



Swarnil Dey
Senior Associate



Vishwambher Bareja
Associate



Delhi High Court grants ex-parte ad-interim injunction protecting the well-known “MINDA” trade mark against infringing “MINDRA” marks

Case reference: MINDA SPECTRUM ADVISORY LIMITED & ORS. vs MINDRA EV PVT. LTD. & ANR. CS(COMM) 1431/2025

The Plaintiffs were represented by Senior Advocate Mr. Chander M. Lall, with Bitika Sharma - Senior Partner, Aadya Chawla - Associate Partner, Rinkoo Kakkar - Senior Associate, Nandini Choudhary - Associate, Mrinalini Goyat – Associate.

Overview

The Minda Group of Companies secured an ad-interim injunction from the Hon’ble Delhi High Court in a trademark infringement and passing off action instituted to protect its well-known “MINDA” mark. The dispute arose from the Defendants’ adoption and use of the mark “MINDRA” and other deceptively similar variants, along with the trade names Mindra EV Pvt. Ltd. and Mindra Green Energy LLP, in relation to EV chargers, charging stations, and allied products. Recognizing the Plaintiffs’ longstanding prior use, reputation, and statutory rights in the “MINDA” mark, the Court granted an ex-parte ad-interim injunction restraining the Defendants from continuing such use.

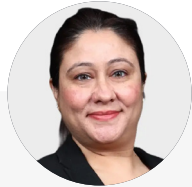
Parallely, the Plaintiffs also initiated rectification proceedings seeking cancellation of the impugned trademark registrations, reinforcing their enforcement against unlawful adoption of confusingly similar marks. The Court has issued notice in the said rectifications.

Court’s Holding

- The Court observed that the Plaintiffs had established long, continuous, and extensive use of the “MINDA” mark. The Defendants’ adoption of the impugned “MINDRA” marks and trade names was prima facie dishonest and intended to ride upon the goodwill and reputation of the Plaintiffs.

- This was a clear case of triple identity — similar marks, identical goods, and the same consumer base — leading to a strong likelihood of consumer confusion under Section 29(5) of the Trade Marks Act, 1999, as well as passing off.

- Accordingly, the Hon'ble Court restrained the Defendants and all persons acting on their behalf from manufacturing, selling, advertising, or dealing in any goods under the impugned marks or trade names, or any other deceptively similar variants.



Bitika Sharma
Senior Partner



Aadya Chawla
Associate Partner



Rinkoo Kakkar
Senior Associate



Nandini Choudhary
Associate



Mrinalini Goyat
Associate



The Hon'ble Delhi High Court grants urgent relief to SUEZ against fraudulent use of Trademark in online investment scams, issues directions to Telecom Operators and Financial Institutions

Case reference: SUEZ INTERNATIONAL & ORS. vs ASHOK KUMAR / JOHN DOE & ORS. CS(COMM) 1304/2025

Saya Choudhary, Senior Partner; Sajan Shankar Prasad, Principal Associate; Partheshwar Singh Associate and Vishwambher Bareja, Associate

The Hon'ble Delhi High Court has recently passed a significant order to curb online investment fraud being carried out using the trusted "SUEZ" name. The Hon'ble Court granted urgent relief to the globally recognised SUEZ Group, noting the serious risk posed to the public by the misuse of a well-known brand.

Fraudulent Schemes Misusing the "SUEZ" Name

SUEZ is a multinational group operating in the water and wastewater management sector and has been present in India since 1978. The Hon'ble Court recorded that unknown individuals were impersonating SUEZ by using its name and trademarks across websites, mobile applications, Telegram groups and YouTube videos to promote fake investment schemes promising high returns.

These schemes falsely claimed an association with SUEZ and induced members of the public to transfer money through changing mobile numbers and UPI IDs, indicating a coordinated and organised online fraud.

On reviewing the material on record, the Hon'ble Court observed that the "SUEZ" name was being used without authorisation and with a clear intent to deceive the public. The Hon'ble Court observed that such misuse was likely to cause financial loss to investors and serious harm to the reputation and goodwill of the SUEZ brand.

The Hon'ble Court was satisfied that immediate intervention was necessary to prevent further damage.

Injunction and Directions to Digital Intermediaries

The Hon'ble Court immediately restrained the fraudsters from using the "SUEZ" name or any similar mark in any form, including on websites, apps, social media platforms or in relation to investment schemes.

Moreover, the Hon'ble Court was pleased to direct the domain name registrars, YouTube and Telegram to take down the infringing content and to share available details of the individuals operating these accounts.

Action Against Telecom Operators, Payment Platforms and Banks

Going beyond content takedowns, the Hon'ble Court ordered telecom operators to block the phone numbers used for the fraud. Payment platforms were directed to suspend the UPI IDs involved, and banks were instructed to freeze the linked accounts and disclose KYC details.

Key Takeaways

This order of the Hon'ble Delhi High Court reflects the growing emphasis placed by the Hon'ble Court on protecting well-known brands from digital misuse and impersonation. It demonstrates the Hon'ble Court's readiness to grant swift relief where unauthorised use of a trademark carries the risk of public deception and reputational damage. The decision also illustrates the importance of timely intervention and coordinated enforcement in addressing online fraud. By issuing directions to intermediaries, platforms, payment services and banks, the Hon'ble Court has shown that trademark protection today extends beyond injunctions to disabling the wider ecosystem that enables such misconduct.



Saya Choudhary
Senior Partner



Sajan Shankar Prasad
Principal Associate



Partheshwar Singh
Associate



Vishwambher Bareja
Associate



The Delhi High Court permits Zydus Lifesciences Ltd to launch bio-similar of Nivolumab.

Case reference: FAO(OS) (COMM) 120/2025 ZYDUS LIFESCIENCES LIMITED vs E. R. SQUIBB AND SONS, LLC & ORS.

Bitika Sharma, Senior Partner; Vrinda Pathak, Associate Partner; PS Manjunathan, Associate; Rajnish Kumar, Associate and Sandhya Kukreti, Associate

Overview

The Hon'ble Delhi High Court has permitted launch of biosimilar of Nivolumab by Zydus Lifesciences Limited, while directing it to maintain and file accounts. The DB has modified the order passed by the Ld. Single judge dated 18.07.2025 to the extent that the injunction

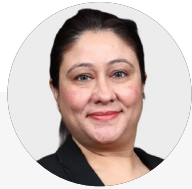
granted has been vacated. The drug is used for treatment of a wide range of cancers, including Non-Small Cell Lung Cancer, Renal cell Carcinoma, Head and Neck cancer, Gastric cancer etc.

The Ld. Division bench held that:

1. Biosimilars alone cannot be the basis on which infringement is based since if this were true, every biosimilar would be infringing;
2. There was incorrect claim mapping since the judgment proceeds on product-to-product mapping. The collateral material on which the Ld. Single Judge proceeded, raise issues which are highly arguable and would require expert evidence;
3. In the plaint there is no reference to the change in the amino acid sequences, and thus the Ld. Single Judge had assumed that these changes were made when in fact there was no comparison between an 'unchanged' amino acid sequence to the changed amino acid sequence;

4. It cannot be said that 'specifically' does not mean 'exclusively' since in response to pre-grant objections the patentee has itself argued that specifically means 'no statistically significant binding' and the impugned order does not advert to this aspect; and

5. Given that the product is a lifesaving drug for cancer, interest of justice would be subserved if Zydus is directed to maintain accounts of sales.



Bitika Sharma
Senior Partner



Vrinda Pathak
Associate Partner



PS Manjunathan
Associate



Rajnish Kumar
Associate



Sandhya Kukreti
Associate

IN THE NEWS

Delhi High Court Dismisses UoI Plea Against CAT Order Quashing Penalty Imposed On DRDO Scientist

On 05 December 2025, the Hon'ble Delhi High Court dismissed the Union of India's writ petition and upheld the **Central Administrative Tribunal (CAT)** order quashing the penalty imposed on **Dr. Anil Kumar Tyagi**, a former DRDO scientist (*Union of India & Ors. v. Dr. Anil Kumar Tyagi, W.P.(C) 12016/2022*).

The Division Bench of **Justice Navin Chawla** and **Justice Saurabh Banerjee** held that the penalty was based on no evidence and was contrary to the record, declining any re-appreciation of evidence. The Court also directed release of all consequential benefits to Dr. Tyagi within eight weeks.

Firm Members **Mr. Swarnil Dey** and **Mr. Vishwambhar Bareja** appeared for the Respondent.

Read the full coverage at LiveLaw: <https://www.livewlaw.in/law-firms/delhi-high-court-dismisses-uo-i-plea-against-cat-order-quashing-penalty-imposed-on-drdo-scientist-513874>

Delhi HC Grants Ex-Parte Injunction Against Unknown Entities for Running Fraudulent Investment Schemes Using 'SUEZ' Trademark

On 08 December 2025, the Hon'ble Delhi High Court granted an **ex-parte ad-interim injunction** in favour of Suez International and its group companies, restraining unknown entities from using the SUEZ trademark to run fraudulent investment schemes (*Suez*

International & Ors. v. John Doe & Ors., CS(Comm) 1304/2025).

Justice Tejas Karia held that the unauthorised use of the well-known SUEZ mark through websites, mobile applications, Telegram groups, and YouTube videos could mislead the public into believing an association with the Plaintiffs. The Court ordered suspension of infringing domain names, takedown of online content, blocking of phone numbers and UPI IDs, freezing of linked bank accounts, and disclosure of KYC and technical details by intermediaries. The requirement of pre-institution mediation was dispensed with due to the urgency of interim relief.

Counsel for SUEZ included **Ms. Saya Choudhary, Mr. Sajjan Shankar, Mr. Partheshwar Singh, and Mr. Vishambhar Bareja**.

Read the full coverage at LiveLaw - <https://www.livewlaw.in/law-firms/litigation/delhi-hc-grants-ex-parte-injunction-against-unknown-entities-for-running-fraudulent-investment-schemes-using-suez-trade-mark-516676>

Calcutta High Court Orders Removal of "A Somany Enterprise" Trademark

The Calcutta High Court, through its IPR Division, by an order passed by **Justice Ravi Krishan Kapur**, directed removal of the registered device mark "**A Somany Enterprise**" from the Register of Trade Marks on the ground of non-use.

Allowing a rectification petition filed by Somany Ceramics Limited under Sections 47 and 57 of the Trade Marks Act, 1999, the Court noted that the mark (Reg. No. 595609, Class 16), registered in the name of HSIL Limited, had never been commercially used — a position fairly conceded by the respondent.

Counsel for Somany Ceramics Limited included **Mr. S. N. Mookherji** and **Mr. Ranjan Bachawat** (Senior Ad-

vocates), along with **Mr. Ashutosh Kumar, Mr. Sajan Shankar Prasad, and Mr. Partheshwar Singh.**

Read more on LiveLaw:

<https://www.livelaw.in/law-firms/litigation/calcutta-high-court-orders-removal-of-hsils-a-somany-enterprise-trademark-for-non-use-516899>

Delhi High Court Restores Interim Injunction In Favour Of Mold-Tek Packaging; Remands Patent Validity Issue For Fresh Consideration

The Delhi High Court, through a Division Bench of **Justice C. Hari Shankar** and **Justice Om Prakash Shukla**, restored the **ex parte ad interim injunction** in favour of **Mold-Tek Packaging Ltd.** in a patent infringement dispute against Neway Industries Pvt. Ltd.

The Court held that once prima facie infringement is shown, the burden to raise a credible validity challenge under Section 107 of the Patents Act lies on the defendant. While the injunction for Patent IN'417 was upheld, the finding on invalidity of Patent IN'724 was set aside and remanded for fresh consideration, reviving the interim injunction dated 8 January 2024.

Counsel for Mold-Tek was led by **Mr. Jayant K. Mehta**, Senior Advocate, along with **Mr. Ashutosh Kumar, Mr. Vinod Chauhan, Ms. Radhika Pareva, Mr. Adithya B., Mr. Yagya Passi, Mr. Ayush Sharma** and **Mr. Om**, Advocates.

Read more on LiveLaw:

<https://www.livelaw.in/law-firms/litigation/delhi-high-court-restores-interim-injunction-favour-mold-tek-packaging-521654>

NOTABLE EVENTS



The Centre for Research in Innovation Law for Shared Prosperity at BITS Law School hosted an international conference titled **“SEPs Speak Louder Than Words: Technology Innovation Amidst Deglobalization.”**

The conference brought together leaders from the judiciary, government, industry, academia, and international organisations to discuss the role of Standard Essential Patents (SEPs) in innovation and technology policy.

The conference opened with a Keynote addresses by Hon’ble Justice Prathiba M. Singh Judge of the Delhi High Court, sharing judicial perspectives on SEP licensing and innovation incentives.

Our Senior Partner, Mr. Ashutosh Kumar, participated as a panelist to examine the subject in depth.

RECOGNITIONS AND AWARDS



WTR1000

Recommended Firm - Enforcement & litigation

Recommended Firm -Prosecution & Strategy



Legal500

Leading Firm – Intellectual Property



Sudeep Chatterjee

Senior Partner

WTR 1000

Recommended Individual

Legal 500

Leading Partners

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Leading Lawyers Notable Practitioners



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