

Legally Rooted Newsletter

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Dear Readers,

Welcome to the 13th 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 competition law, including the pivotal victories we secured for our clients.

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Key Case Update at the Firm



Hon'ble Division Bench of Delhi High Court sets aside Permanent Injunction granted by Ld. Single Judge in BEVETEX vs BEVATAS Pharmaceutical Trademark Dispute

Case Reference: Hon'ble Division Bench of Delhi High Court sets aside Permanent Injunction granted by Ld. Single Judge in BEVETEX vs BEVATAS Pharmaceutical Trademark Dispute

Overview of the Case

Sun Pharma had instituted a Suit alleging trademark infringement of its registered mark BEVETEX, and passing off, unfair competition, dilution, etc. against use of the mark BEVATAS, which was used by Intas for the biosimilar Bevacizumab. The mark BEVETEX was used for the chemical drug Paclitaxel by Sun Pharma. Both drugs are approved and used for separate indications of cancer.

The Suit was originally filed before Saket District Court in the year 2017. Interim Injunction was denied up till the Hon'ble Supreme Court in the first round, the Courts holding that there was no similarity between the marks. Pursuantly, evidence was led by the parties and the trial was completed. Thereafter the Suit was shifted to Delhi High Court after Sun Pharma enhanced the pecuniary valuation of the Suit.

After around 9 years, Ld. Single Judge of the Delhi High Court decreed the suit in favour of Sun Pharma, having arrived at a finding of the trademarks being similar and existence of likelihood of confusion, thereby establishing infringement. Aggrieved by said judgment and decree dated 28 March 2026 an Appeal was preferred before the Hon'ble Division Bench on urgent basis concerning the discontinuation and hinderance in availability of this significant cancer medication.

Acknowledging the urgency involved, the Hon'ble Division Bench heard the Appeal on 6th to 8th April 2026 and reserved its judgement. The judgment was passed on 29 May 2026, in record time for a final adjudication matter, wherein the Ld. Single Judge's judgment was set aside on a finding that the marks were starkly dissimilar, there was no cause of action in the suit and that it was vexatious. Additionally, cost of litigation was awarded to Intas (Appellant). The Hon'ble Court categorically opined that post trial, to supplant a finding arrived at the interim stage and for the Court to come to a different conclusion, oral and documentary evidence is to be looked into and a Plaintiff needs to discharge that burden by proving similarity and likelihood of confusion, not merely stating it.

The Judgment is seminal on various accounts and discusses in detail the aspects of requirement to precisely disclose the cause of action in the pleadings, pleading the subsection of Section 29 of the Trade Marks Act, need to discharge evidentiary burden during trial by producing a competent witness who can testify with respect to deceptive similarity and confusion within the relevant class of public, the importance of reviewing evidence in a post-trial matter and the insufficiency of the Court prima facie analysing perceived similarity between the marks in the absence of clear evidence to show likelihood of confusion. The Division Bench also clarified that when the marks are not identical, the enquiry in an infringement action necessarily proceeds akin to that of a passing off action wherein the principles laid down in paragraphs 35 and 36 of the Hon'ble Supreme Court's decision of *Cadila vs Cadila* [(2001) 5 SCC 73] have to be considered and cannot be overlooked.

Members involved in the case



Bitika Sharma
Senior Partner



George Vithayathil
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Ahaana Singh Rana
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Mrinalini Goyat
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Featured Publication

Confusing application of the Initial Interest Confusion doctrine in trade mark cases

Bar^{and}Bench

23 June 2026



Viewpoint

The article explores the inconsistent application of the Initial Interest Confusion doctrine across jurisdictions and the challenges it poses for trade mark enforcement. It argues for clearer, harmonised guidelines to ensure greater certainty and consistency in the evolving landscape of trade mark law.

Authors

Vrinda Pathak (Partner), Rajnish Kumar (Associate), Singh & Singh Law Firm LLP, and Soumya Banerjee (Senior Legal Analyst), Kommit Techno-Legal LLP.

<https://www.barandbench.com/view-point/confusing-application-of-the-initial-interest-confusion-doctrine-in-trade-mark-cases>

June 2026

Canva vs Rxprism: A New Framework for Process Patent Infringement in India by Equivalence



ASIAN PATENT ATTORNEYS ASSOCIATION



Viewpoint

The article analyses the Delhi High Court's decision in Canva v. RxPrism and its significance in shaping the framework for process patent infringement in India. It explores the evolving application of the doctrine of equivalents and examines its implications for patent enforcement, innovation, and the future of Indian patent jurisprudence.

Author

Vrinda Pathak (Partner), Kommit Techno-Legal LLP

<https://apaaonline.org/article/canva-vs-rxprism-a-new-framework-for-process-patent-infringement-in-india-by-equivalence/>

Notable Events



Karmanya Singh Sareen shared key insights on AI/ML patents and patent eligibility at IPBC Global 2026, covering recent US case law, India's 2025 CRI Guidelines, and evolving approaches across **India**, **Europe**, the **UK**, and **China**. He highlighted the growing global consensus on protecting genuine AI innovations while distinguishing them from generic AI applications.

Singh & Singh Law Firm LLP signed a **Memorandum of Understanding (MoU)** with Chitkara University to strengthen industry-academia collaboration in Intellectual Property and legal education. The partnership will offer students valuable exposure through internships, workshops, expert interactions, and research initiatives led by the firm's experienced IP professionals.



Karmanya Singh Sareen, **Saya Choudhary**, and **Ashutosh Kumar** attended the Patents and Standards Conference organised by **University College London**, where Saya Choudhary served as a moderator. The conference brought together legal, technical, and policy experts to discuss emerging issues in patents, standards, and innovation.

Firm & Members Recognitions & Awards



RECOMMENDED FIRM 2026

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PROSECUTION



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