

# INTELLECTUAL PROPERTY, SPORTS & GAMING

## Lee Hishammuddin Allen & Gledhill



— “ —  
Adeline Tang Pui Yan  
Associate  
**IP, Sports & Gaming**  
T: +603 6208 5889  
E: apy@lh-ag.com  
— ” —



— “ —  
CK Lung  
Partner  
**IP, Sports & Gaming**  
T: +603 6208 5948  
E: ckl@lh-ag.com  
— ” —



— “ —  
Esther Koh Tsi Jing  
Associate  
**IP, Sports & Gaming**  
T: +603 6208 5940  
E: ktj@lh-ag.com  
— ” —

The IP, Sports and Gaming Practice is comprised of a seasoned team of lawyers and support staff. Our services cover the full spectrum of intellectual property, sports and gaming laws, both contentious and non-contentious. These include dispute resolution at all tiers of the courts, intellectual property portfolio and asset management, anti-counterfeiting programmes, brand protection and naming rights, digital contents, licensing and sponsorship of sports ventures, events broadcasting, market entry strategies, and regulatory requirements for the gaming industry.

# INTELLECTUAL PROPERTY



## TRADEMARK

### OATLY SUES UK OAT MILK MAKER OVER TRADEMARK

Globally recognised plant milk maker, Oatly, sought an injunction from the UK High Court to stop Glebe Farm Foods from selling its PureOaty product. The application arose from disputes alleging trademark infringement due to similarities in branding.

<https://www.bbc.com/news/business-57425162>

### DR MARTENS SUES CHINA E-COMMERCE GIANT SHEIN

Chart-topping Chinese fast fashion e-commerce platform 'Shein' has been accused of trademark infringement. Airwair International, makers of the famous Dr Marten boots have since filed a suit against Shein.

<https://www.worldipreview.com/news/dr-martens-sues-china-e-commerce-giant-shein-21447>

### ELON MUSK FILES TRADEMARK PAPERWORK FOR TESLA RESTAURANT CONCEPT

The US Patent and Trademark Office has received applications from Tesla to be trademarked in the industry of restaurant services. Tesla's CEO, Elon Musk, had hinted at this venture on his Twitter account since 2018.

<https://www.bloomberg.com/news/articles/2021-06-02/elon-musk-files-trademark-paperwork-for-tesla-restaurant>



## INTELLECTUAL PROPERTY

### PATENT

#### GERMANY SHUTS DOOR ON PATENT TROLLS

The recent reform of patent laws in Germany is said to solidify its stance against patent trolls threatening litigation for the sole purpose of profit. The reform bill is presently still in the law-making process.

<https://www.wsj.com/articles/germany-shuts-door-on-patent-trolls-11623397397>



#### PRESSURE GROWS TO DROP COVID-19 VACCINE PATENT PROTECTIONS AS EUROPEAN LAWMAKERS BACK WAIVER

The lifting of patents for COVID-19 vaccines has become a rather serious bone of contention after the European Parliament voiced its support. This leaves the European Commission and other players in the industry further isolated in its objection against the waiver.

<https://fortune.com/2021/06/10/covid-vaccine-patent-waiver-european-parliament-commission-wto/>

Pressure grows to drop COVID-19 vaccine patent protections



MORE NEWS, UPDATES,  
HOT TOPICS

SPORTS - 5  
GAMING - 6 & 7

## INTELLECTUAL PROPERTY

### COPYRIGHT

#### INSTAGRAM EMBEDDED IN CLASS ACTION COPYRIGHT INFRINGEMENT LAWSUIT

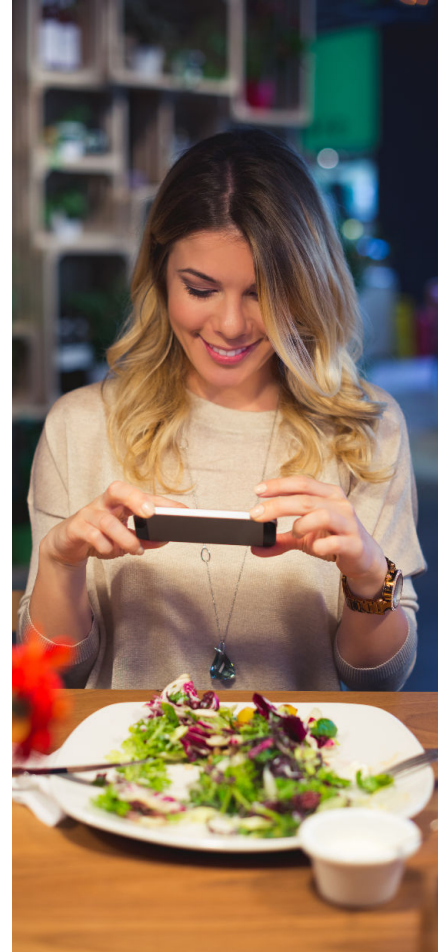
Instagram, comprising of more than 1 billion users, are involved in a class action suit by photojournalists alleging rampant copyright infringement enabled by the famous platform. It is claimed the copyright holders do not receive compensation which they are entitled to when their works are published on other websites.

<https://www.jdsupra.com/legalnews/instagram-embedded-in-class-action-9107021/>

#### CHINA LAUNCHES COPYRIGHT PROTECTION BLOCKCHAIN

In advancing China's copyright regime, the Copyright Society of China launched the "China Copyright Chain". This technology facilitates inter alia issuance of notices against pirated products, surveillance of infringement and settlement of copyright disputes ongoing in Court.

<https://www.coindesk.com/china-launches-new-copyright-protection-blockchain>



#### NEW EU COPYRIGHT RULES THAT WILL BENEFIT CREATORS, BUSINESSES AND CONSUMERS START TO APPLY

The European Commission issued the Guidance on Directive 2019/790, aimed at modernising its copyright laws. In light of the current trend of online streaming services, this Directive is notably a right step forward as it requires online content-sharing services to obtain authorisation from the right holders to ensure fair remuneration is given.

[https://ec.europa.eu/commission/presscorner/detail/en/ip\\_21\\_1807](https://ec.europa.eu/commission/presscorner/detail/en/ip_21_1807)

# INTELLECTUAL PROPERTY



## OTHER



Malaysian Intellectual Property Office (“MyIPO”) Operating Guidelines during FMCO

### MYIPO OPERATING GUIDELINES DURING FMCO

The operating guidelines in place during the current FMCO in Malaysia governing the filing of documents for IP matters with MyIPO can be found below –

<https://www.myipo.gov.my/wp-content/uploads/2021/06/PELAKSANAAN-OPERASI-SEMASA-PKP-3.0.pdf>

Further elaboration on the procedures to adhere for filings during the FMCO can be found below –

<https://www.myipo.gov.my/wp-content/uploads/2021/06/Practice-Direction-2-2020-VA2-2021FAIR.pdf>

## SPORTS

### WHO COULD CANCEL THE TOKYO OLYMPICS?

International Olympic Committee (“IOC”) Vice President John Coates stated the Tokyo 2020 Games (“Games”) shall proceed even if Tokyo is under a state of emergency due to the COVID-19 pandemic. The 2013 host-city agreement between IOC and the Games’ organisers stipulates that only the IOC can cancel the Games.

<https://www.wsj.com/articles/who-could-cancel-the-tokyo-olympics-11623111896>

### UK GOVERNMENT ANNOUNCES TERMS OF REFERENCE FOR FAN-LED REVIEW OF FOOTBALL

The review will explore the possible changes to ownership models, governance, finance management of the game and how to give better control to supporters in the running of the game.

This move comes following a number of Premier League clubs that were involved in the breakaway European Super League.

<https://www.gov.uk/government/news/government-announces-terms-of-reference-for-fan-led-review-of-football>



### VAN HOLLEN, CARDIN BACK BILL TO REQUIRE EQUAL PAY FOR U.S. SOCCER TEAMS

U.S Senators Chris Van Hollen, Ben Cardin and nearly a dozen of their colleagues introduced a bill where in order to receive federal funds relating to the 2026 World Cup, the U.S. Soccer Federation will have to agree to provide equitable pay to both the men’s and women’s national teams.

<https://www.vanhollen.senate.gov/news/press-releases/cardin-van-hollen-back-bill-to-require-equal-pay-for-us-soccer-teams>

### FLORIDA GOV. RON DESANTIS SIGNS CONTROVERSIAL TRANSGENDER ATHLETE BAN BILL

Ron DeSantis recently signed a bill that prohibits transgender athletes from participating in women's sports at the high school and collegiate levels in Florida.

<https://malaysia.news.yahoo.com/florida-governor-ron-desantis-signs-transgender-athlete-ban-bill-first-day-pride-month-020255257.html>

## GAMING

### ONTARIO EYES LEGAL SINGLE-SPORTS BETTING IN 2021, CLOCK TICKS ON SENATE APPROVAL

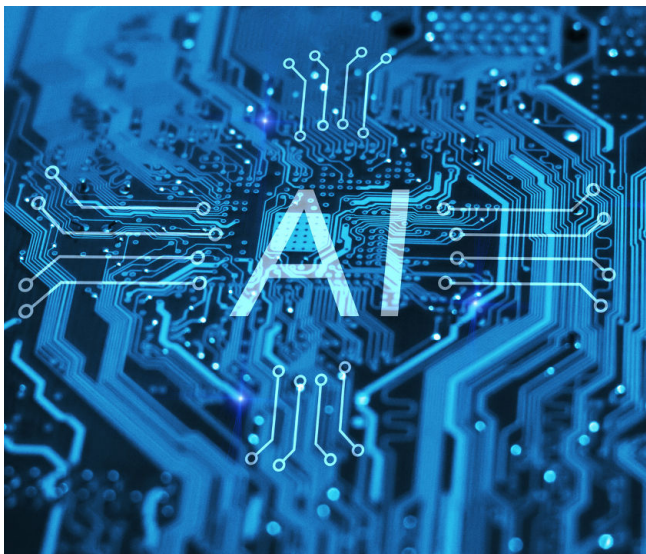
The Ontario government recently released a roadmap for its planned launch of a regulated iGaming market, which will allow registered operators to start providing their products and services to their residents in late 2021.

<https://ca.finance.yahoo.com/news/ontario-eyes-legal-single-sports-betting-in-2021-clock-ticks-on-senate-approval-161613875.html>

### NORTHERN GAMBLING LAWS TO BE REFORMED IRELAND TO BE

For the first time in 35 years, significant changes will be made to gambling laws in Northern Ireland.

<https://www.bbc.com/news/uk-northern-ireland-57266097>



### SKILLZ TO ACQUIRE AARKI TO FORM FIRST INTEGRATED ESPORTS ADVERTISING PLATFORM

Mobile esports platform Skillz, that utilises patented technology to host esports tournaments has acquired machine learning marketing company Aarki.

<https://www.businesswire.com/news/home/20210602005341/en/Skillz-to-Acquire-Aarki-to-Form-First-Integrated-Esports-Advertising-Platform>

## GAMING

### LOUISIANA LAWMAKERS OK SPORTS BETTING RULES, SEND TO EDWARDS

Several months after majority of Louisiana voters agreed to legalise sports betting, Louisiana lawmakers gave final passage to rules that will permit betting through sports book sites, mobile applications and kiosk locations.

<https://apnews.com/article/louisiana-technology-sports-betting-personal-taxes-business-5907a676d738191548bd0599e93aef81>

## PREVIOUS PUBLICATIONS

Of Source Codes and Functions - Balancing Copyright Protection Against Monopolisation

'Willing to Wound but Afraid to Strike' - Threats in Trademark Infringement Proceedings

Competing Rights to Copyright in the Virtual Environment

Spilling the Beans in Litigation

The Price of Artificial Intelligence

State of Mind and the Plea of Innocence

False Sense of Security

Privileges of 'Well-Known' Trademarks

Celebrity's Name Taken in Vain



*Follow us for more resources*



@LHAG



[www.lh-ag.com](http://www.lh-ag.com)



@lhagmy

*End*