

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.

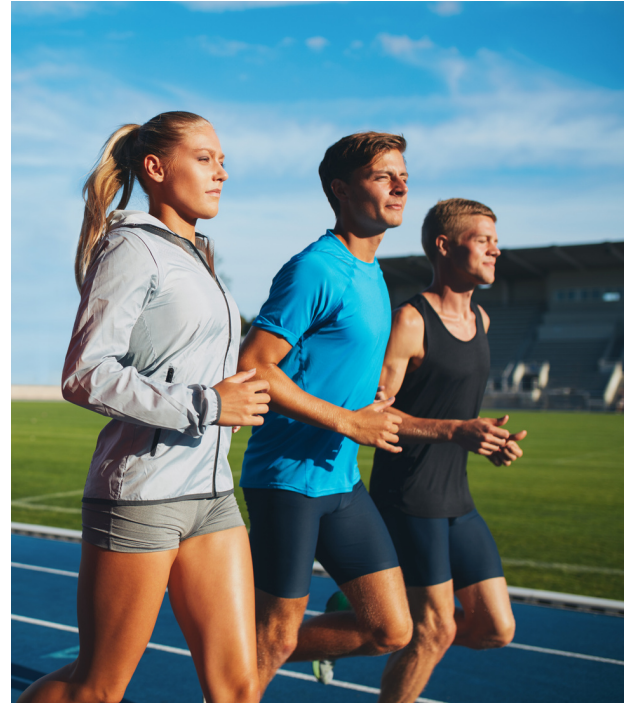
INTELLECTUAL PROPERTY

TRADEMARK

ADIDAS FILES A TRADEMARK INFRINGEMENT LAWSUIT AGAINST GERMAN SPORTSWEAR BRAND, THOM BROWNE OVER THE USE OF ITS STRIPES

Adidas sued Thom Browne for selling sports apparel bearing 2 to 4 parallel stripes, confusingly similar to the famous Adidas trademark. The suit was commenced after an unsuccessful mediation with Thom Browne in November 2020.

<https://www.surface.com/articles/adidas-sues-thom-browne/>



MINISTRY OFFICIALS SEIZE OVER 100,000 FACE MASKS, KNOCK-OFFS OF KNOWN BRAND

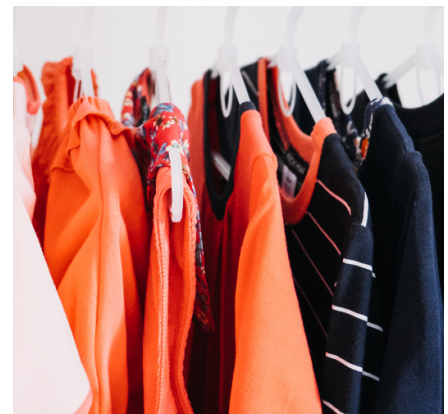
The Malaysian Ministry of Domestic and Consumer Affairs seized face masks which are suspected to be counterfeits of the Neutrovis brand. More than 100,000 faces masks were seized and are said to be worth RM 60,699.

<https://www.thestar.com.my/news/nation/2021/07/25/ministry-officials-seize-over-100000-face-masks-knock-offs-of-known-brand>

CHINESE TECH COMPANY FIRES BACK AT EPIC GAMES IN 'NREAL' TRADEMARK DISPUTE

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>



INTELLECTUAL PROPERTY



GM SUES FORD OVER BLUECRUISE NAME FOR HANDS-FREE DRIVING TECH

General Motors has brought an action against Ford after failing to amicably resolve a dispute involving trademark infringement. The claim centers on Ford's use of the name "BlueCruise" for its hands-free driving system which bears uncanny resemblance to General Motor's own hands-free driving system, "Super Cruise".

https://uk.sports.yahoo.com/news/gm-sues-ford-over-bluecruise-193700156.html?guccounter=1&guce_referrer=ahr0chm6ly93d3cuz29vz2xllmnvbs8&guce_referrer_sig=aqaaaexvlehv572sunqpumgagxgg1cxolqzf-kzpskkgcp9vgttezsbutv5m19vjnwtmmpsx85vb8ubirbi pxxqh5yeh06

BOMBAY HC GRANTS INTERIM RELIEF TO OWNER OF NATURALS ICE CREAM IN TRADEMARK CASE

The Bombay High Court allowed an injunction to the owners of the famous "Naturals" ice-cream brand in India who satisfied a prima facie case against Natural Ice Cream (a Gujarat based company) for trademark infringement. The plaintiffs seek for damages of Rs.150 crores (approximately USD 2 million).

<https://indianexpress.com/article/cities/mumbai/bombay-hc-grants-interim-relief-to-owner-of-naturals-ice-cream-in-trademark-case-7426030/>



INTELLECTUAL PROPERTY

PATENT

ROSENBERGER FILES PATENT LAWSUIT AGAINST COMMSCOPE

Rosenberger, an international market leader for radio frequency and fibre optic technology, brought a claim in China against CommScope companies for patent infringement. The dispute concerns Rosenberger's technology patents known as base station antenna design.

https://finance.yahoo.com/news/rosenberger-files-patent-lawsuit-against-025900245.html?utm_source=dlvr.it&utm_medium=twitter

HUAWEI AND VERIZON HAVE AGREED TO SETTLE A PAIR OF PATENT LAWSUITS

Verizon was allegedly using a dozen Huawei patents without authorization in areas such as computer networking, download security, and video communications. Both companies have filed to dismiss the case and agreed to a confidential settlement.

<https://www.reuters.com/legal/transactional/huawei-verizon-agree-settle-patent-lawsuits-sources-2021-07-12/>



INTELLECTUAL PROPERTY

SOUTH AFRICA ISSUES WORLD'S FIRST PATENT LISTING AI AS INVENTOR

After filing patent applications in more than ten countries, South Africa becomes the first jurisdiction to grant a patent to a law professor but with 'Dabus', an artificial neural system named as the inventor of a unique food interlocking container. This is an unprecedented event which undoubtedly marks a shift in the recognition of AI as inventors of IP.

<https://www.globallegalpost.com/news/south-africa-issues-worlds-first-patent-listing-ai-as-inventor-161068982>

CANON'S NEW PATENT HINTS AT A TELEPHOTO LENS ATTACHMENT FOR SMARTPHONES UNDER DEVELOPMENT

A recent patent application by Canon hints that the company could be coming up with an attachment for smartphones. The patent involves a telephoto lens attachment which enhances the performance of smartphone cameras.

<https://www.businessinsider.in/tech/news/canons-new-patent-suggests-telephoto-lens-attachment-for-smartphone/articleshow/84760536.cms>



MORE NEWS, UPDATES,
HOT TOPICS

SPORTS - 8&9
GAMING - 10

INTELLECTUAL PROPERTY

COPYRIGHT



COMMISSION STARTS LEGAL ACTION AGAINST 23 EU COUNTRIES OVER COPYRIGHT RULES

The European Commission issued formal notices as the first step in infringement proceedings, seeking reasons from 22 EU countries as to their delay in enacting EU Copyright Rules into their national law. The timeline to respond to the Commission is within 2 months, failing which will result in a warning being issued.

<https://www.reuters.com/world/europe/commission-starts-legal-action-against-23-eu-countries-over-copyright-rules-2021-07-26/>

'A LOT AT STAKE' IN CANADIAN'S 'INSIDE OUT' COPYRIGHT LAWSUIT AGAINST DISNEY AND PIXAR, EXPERT SAYS

Pixar Animation Studios and Walt Disney Pictures Inc are being sued for copyright infringement in relation to the popular "Inside Out" movie. This suit was brought by Damon Pourshian who claims he devised the idea for the film in 1998 and wrote its screenplay in 2000 while he was a film student at Sheridan College, Canada.

<https://www.ctvnews.ca/entertainment/a-lot-at-stake-in-canadian-s-inside-out-copyright-lawsuit-against-disney-and-pixar-expert-says-1.5526089>



INTELLECTUAL PROPERTY



GOOGLE FINED €500M OVER COPYRIGHT ISSUES IN FRANCE

The fine comes after Google's failure to comply with the regulator's orders on conducting talks with the country's news publishers over copyright issues, and international pressure to share more revenue with these news outlets when using their news reports.

<https://www.theguardian.com/technology/2021/jul/13/google-fined-500m-by-frances-antitrust-watchdog-over-copyright>

STARHUB OFFERS \$120 DISCOUNT FOR NEW SIGN-UPS WHO GIVE UP ILLEGAL SET-TOP BOXES

In an attempt to fight against digital piracy, StarHub in Singapore is offering a major discount for persons streaming pirated content from illegal set-top boxes to exchange the same with the original by paying only a subscription fee of \$30 a month.

<https://www.straitstimes.com/tech/tech-news/starhub-offers-120-discount-for-new-sign-ups-who-give-up-illegal-set-top-boxes>



INTELLECTUAL PROPERTY



OTHER



MIDP Issues Guideline on Tax Exemption for Intellectual Property Development

AMAZON LAUNCHES IP ACCELERATOR PROGRAMME IN INDIA FOR BUSINESSES

The programme provides sellers with access to services from IP experts and law firms. These sellers can secure trademarks, protect their brand and tackle infringement on Amazon.in and Amazon websites globally.

https://www.business-standard.com/article/companies/amazon-launches-ip-accelerator-programme-in-india-for-businesses-121070400341_1.html

MIDP ISSUES GUIDELINE ON TAX EXEMPTION FOR INTELLECTUAL PROPERTY DEVELOPMENT

The Guideline states that a full income tax exemption of up to 10 years is given for qualifying IP income derived from patent and copyrighted software. This exemption is based on the Modified Nexus Approach where a formula adopted by the Forum on Harmful Tax Practices would be used to calculate the qualifying income. The full Guideline can be found below:

https://www.mida.gov.my/wp-content/uploads/2021/06/GD_IP_08062021.pdf

SPORTS

SWEDEN STATES ESPORTS IS NOT AN OFFICIAL SPORT

The Swedish Sports Federation has refused to recognise esports by voting against categorizing esports as an official sport.

<https://www.talkesport.com/news/sweden-says-esports-is-not-an-official-sport-even-for-a-40-million-event/>



BILL LEVELS PLAYING FIELD BY ALLOWING PENNSYLVANIAN ATHLETES TO CASH IN ON NAME, IMAGE, AND LIKENESS

Lawmakers have recently passed a bill that will allow fair compensation opportunities for college athletes in Pennsylvania which authorizes college athletes to earn compensation for the use of their names or images.

<https://www.lewistownsentinel.com/opinion/editorials/2021/07/bill-levels-playing-field-by-allowing-pa-athletes-to-cash-in-on-name-image-likeness>

MIAMI'S SPORTS BETTING PLAN IS HIT WITH LEGAL CHALLENGES

Owners of Magic City Casino and Bonita Springs Poker Room have filed a lawsuit against lawmakers on the grounds that the sports betting plan which was passed violates federal laws.

<https://miami.cbslocal.com/2021/07/05/sports-betting-plan-hit-with-legal-challenge/>

SPORTS



OLYMPICS-RODCHENKOV ANTI-DOPING ACT WON'T KEEP TOKYO CLEAN

The Rodchenkov Anti-Doping Act, which was signed into law in December 2020, allows the United States to prosecute individuals for doping schemes at international events involving American athletes, sponsors of broadcasters. The Tokyo Olympics will be the first major test of this new law.

<https://www.thestar.com.my/sport/others/2021/07/22/olympics-rodchenkov-anti-doping-act-won039t-keep-tokyo-clean---lawyer>

ESPORTS COULD BE RECOGNIZED OFFICIALLY IN ROMANIA

A draft law set to be introduced to the Parliament this fall aims to recognise esports as an official sport. This change would permit esports players to be recognised as athletes and for sport teams to officially register as sport clubs in Romania.

<https://www.romania-insider.com/esports-recognized-draft-law-jul-2021>



GAMING

CHINA'S ANTITRUST REGULATOR BLOCKS TENCENT'S US\$5.3 BILLION MERGER OF TWO BIGGEST VIDEO GAME LIVE- STREAMING PLATFORMS, HUYA AND DOUYU

The merger was blocked by The State Administration for Market Regulation, citing reasons that it “may have the effect of excluding or restricting competition”. If the merger had gone through, it would have been in a position of taking on Amazon.com’s streaming service Twitch.

<https://www.scmp.com/tech/policy/article/3140625/chinas-antitrust-regulator-blocks-tencents-us53-billion-merger-game>



SINGAPORE IS PROPOSING TO AMEND GAMBLING LAWS ON SOCIAL GAMBLING, ONLINE GAMES AND CLAW MACHINE

The Ministry of Home Affairs is proposing to make amendments to gambling laws and has seek public input for a more extensive regulatory framework on the country’s gambling industry.

<https://www.straitstimes.com/singapore/public-feedback-sought-on-proposed-legalisation-of-in-person-gambling-in-spore-among>

LHAG EVENTS



FINTECH & INTELLECTUAL PROPERTY: THE INEVITABLE UNION

In collaboration with the Fintech Booster Programme launched by Malaysia Digital Economy Corporation (MDEC) and Bank Negara Malaysia, our partner Chng Keng Lung and associate Esther Koh Tsi Jing conducted a virtual workshop on 28 July 2021, examining the key aspects of intellectual properties relevant and even necessary to help Fintech companies push the boundaries and be at the forefront of the industry.

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](#)

[Intellectual Property, Sports & Gaming Newsletter Vol. 1](#)



Follow us for more resources



End