

INTELLECTUAL PROPERTY, SPORTS & GAMING

Lee Hishammuddin Allen & Gledhill



LH
ADVOCATES
AND SOLICITORS
AG

A SNEAK PEEK INSIDE THIS ISSUE:

*Hike in Patent Filing
Fees in Europe/ EPO!*

*NFTs: 4 Piracy and
Copyright Essentials for
Buyers and Sellers*

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

THAILAND: THAILAND FINALISES NEW TRADEMARK EXAMINATION MANUAL

Thailand's Department of Intellectual Property published its finalised trademark Examination Manual, which is a guideline for examiners in assessing trademark applications, on 17 January 2022. Among others, it recognises that two or more years of advertising online is sufficient proof of the required level of distinctiveness.

<https://www.mondaq.com/trademark/1156314/thailand-finalizes-new-trademark-examination-manual>

L'ORÉAL EYES NFTS AND THE METAVERSE, FILING FOR 17 VIRTUAL GOODS-RELATED TRADEMARKS

Joining the metaverse and NFT hype, L'Oréal filed trademark applications in the name of its subsidiaries for, among others, virtual haircare, perfumery and cosmetics.

<https://www.coindesk.com/business/2022/02/16/loreal-eyes-nfts-and-the-metaverse-filing-for-17-virtual-goods-related-trademarks/>



NIKE IS THE LATEST COMPANY TO FILE SUIT OVER NFTS AS BRANDS GET SERIOUS ABOUT THE MARKETPLACE

Nike commenced an action against StockX over a project containing NFTs of trademarked Nike products. The action is crucial to mark the apparel giant's territory in the metaverse and ensure that it is protected against counterfeiters so that the Nike brand is not diluted.

<https://fortune.com/2022/02/07/nike-files-nft-lawsuit/>

INTELLECTUAL PROPERTY

PATENT

BLACKBERRY SAVES ITS RAINY DAY WITH A US\$600 MILLION PATENT SALE

After losing market share as regards its tangible goods, Canada's BlackBerry plans to sell its patent for messaging to Catapult IP. From this deal, BlackBerry is set to receive US\$600 million.

<https://www.forbes.com/sites/anthonytrippe/2022/02/03/blackberry-saves-its-rainy-day-with-a-600-million-patent-sale/?sh=5805a72d2463>



HIKE IN PATENT FILING FEES IN EUROPE/ EPO!

The European Patent Office announced an increase in filing fees effective from 1 April 2022. Applicants may take advantage of costs saving by filing applications, appeals, renewals prior to the commencement date of the hike in fees.

<https://www.lexology.com/library/detail.aspx?g=8c3a03a1-6eef-4057-979c-3d4da349e037>

INTELLECTUAL PROPERTY



FORD MIGHT BE STEALING ONE OF TESLA'S BEST IDEAS

Taking a cue from Tesla's patented feature for pets, Ford has come up with its own patent. Among others, the patent activates a hydration system to keep pets comfortable in their owner's cars.

<https://www.gearpatrol.com/cars/a38983227/ford-patent-manual-transmission/>

KOREAN TECH NAMES UNDER INCREASING ATTACK FROM PATENT TROLLS IN RECENT YEARS

The number of lawsuits filed by non-practising entities against South Korean companies has surged in recent years. This concern raises the call for systematic safeguards to protect against such patent trolls.

<https://pulsenews.co.kr/view.php?year=2022&no=164549>

INTELLECTUAL PROPERTY

COPYRIGHT

KENYA'S COPYRIGHT BILL RAISES CONCERNS AMONG WORLD SPORTS BODIES

Many sports bodies have voiced their concerns to the Kenyan government over the impact of the new Copyright Amendment Bill, particularly about the possible repeal of critical sections that deal with take-down notices issued to internet-based service providers. This might ultimately affect Kenya's ability to participate in the Africa Growth and Opportunity Agreement (AGOA) programme.

<https://tech-ish.com/2022/02/15/kenya-copyright-bill-concerns/>



APPLE DEFEATS COPYRIGHT LAWSUIT OVER RACIALLY DIVERSE EMOJI

A lawsuit against Apple, accusing it of copying Cub Club Investment LLC's emoji designs, has been thrown out. This is due to several differences between the two companies' designs, particularly in terms of colour and shape.

<https://www.reuters.com/legal/transactional/apple-defeats-copyright-lawsuit-over-racially-diverse-emoji-2022-02-16/>

INTELLECTUAL PROPERTY

SCI-HUB CASE: DELHI HIGH COURT REJECTS RESEARCHERS' PLEA SEEKING IMPLEADMENT IN INFRINGEMENT PROCEEDINGS

The application by three researchers seeking “impleadment” in the present Sci-Hub matter has been rejected. Sci-Hub, the website which provides free access to paywalled research material, is being sued for copyright infringement by various publishers. The impleadment application was rejected as the judge noted the three researchers could not rely on the fact that their research would be impeded if they lost access to Sci-Hub if the material is indeed found to be infringing.

<https://www.livelaw.in/news-updates/sci-hub-case-delhi-high-court-researchers-impleadment-infringement-proceedings-192307>



MORE NEWS, UPDATES,
HOT TOPICS

SPORTS - 7 & 8
GAMING - 9

INTELLECTUAL PROPERTY

OTHER

TRADEMARK USE AND TRADEMARK INFRINGEMENT IN DOMAIN NAMES

In this write-up, the author delves into the intricacies of the overlap between ownership of trademark and ownership of domain names. In particular, the author elaborates on the instances in which trademark infringement may arise even if a party owns a domain name.

<https://www.jdsupra.com/legalnews/trademark-use-and-trademark-6133707/>



NFTs: 4 Piracy and Copyright Essentials for Buyers and Sellers

NFTS: 4 PIRACY AND COPYRIGHT ESSENTIALS FOR BUYERS AND SELLERS

This article highlights the problem of piracy in the trade of NFTs. Among others, NFT buyers are reminded to take precautionary steps before dealing in the digital asset, such as checking for a blue tick to ensure the source is verified and that the artist himself actually minted the NFT.

<https://www.coindesk.com/learn/nfts-4-piracy-and-copyright-essentials-for-buyers-and-sellers/>

SPORTS

KAMILA VALIEVA ALLOWED TO COMPETE AFTER COURT OF ARBITRATION FOR SPORT DECISION

Russian teenager Kamila Valieva was allowed to compete in the women's single skating event by the Court of Arbitration for Sport. The Court of Arbitration for Sport's reasoning was that Valieva, being only 15, is a protected person and is thus not held to the same standard as an adult.

https://sports.yahoo.com/kamila-valieva-allowed-compete-court-170153282.html?fr=sycsrp_catchall



KING COUNTY REPEALS MANDATORY BICYCLE HELMET LAW

The mandatory helmet law for bicyclists, which has been in effect for decades, has been repealed by the King County Board of Health, owing to data that shows its minimal enforcement as well as its negative effects. This will go into effect in March 2022.

<https://www.seattletimes.com/seattle-news/transportation/king-county-repeals-mandatory-bicycle-helmet-law/>

SPORTS

TEAM USA SKATERS ALEXA KNIERIM, BRANDON FRAZIER SUED FOR SONG USE AT BEIJING OLYMPICS

The skating team representing the United States in the recent Winter Olympics has been struck with a lawsuit brought against them for unauthorised use of music. The music group behind the version of the song used in the competition, Heavy Young Heathens, claimed that they were not contacted by anyone about their song being used.

<https://sports.yahoo.com/team-usa-skaters-alexa-knierim-brandon-frazier-sued-for-song-use-at-beijing-olympics-house-of-the-rising-sun-080836508.html>



BRITAIN'S RELAY TEAM LOSES OLYMPIC SILVER FROM TOKYO GAMES OVER DOPING

The 4x100-meter relay team was stripped of its silver medal from the Tokyo 2020 Olympic Games after the confirmation by the Court of Arbitration for Sport of a doping violation by a team member, C.J. Ujah.

<https://www.nbcnews.com/news/sports/britains-relay-team-loses-olympic-silver-tokoyo-games-doping-rcna16931>

GAMING



A BORED APE WITH CHINESE CHARACTERISTICS? BORED WUKONG ACCUSED OF COPYCAT NFT AVATARS

The creator of non-fungible token cartoon monkeys, more specifically, Monkey King, has been accused of plagiarising the highly popular Bored Ape Yacht Club. He denied these accusations, claiming that the face shape, clothing and accessories of his monkeys are different from those of Bored Apes.

<https://www.scmp.com/tech/tech-trends/article/3166878/chinese-nft-project-bored-wukong-accused-copying-bored-ape-yacht>

SINGAPORE TO ESTABLISH NEW GAMBLING REGULATOR BY MID-2022

The Singaporean government has announced its plans to establish a new gambling regulator by the middle of this year, coming after two crucial bills that were recently introduced. This new regulator will act as a single regulator for all forms of gambling. There is also talk of a prospective new Casino Control (Amendment) Bill that might later be introduced to assist in the regulation of casinos.

<https://www.asgam.com/index.php/2022/02/14/singapore-to-establish-new-gambling-regulator-by-mid-2022/>

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](#)

[Navigating the E-Money Landscape](#)

[Intellectual Property, Sports & Gaming Newsletter Vol. 2](#)

[E-Commerce – Drive Towards Improved Postal Services](#)

[Intellectual Property, Sports & Gaming Newsletter Vol. 3](#)

[Intellectual Property, Sports & Gaming Newsletter Vol. 4](#)

[Intellectual Property, Sports & Gaming Newsletter Vol. 5](#)

[Clipping the Wings of Social Media Influencers](#)

[Intellectual Property, Sports & Gaming Newsletter Vol. 6](#)

[Intellectual Property, Sports & Gaming Newsletter Vol. 7](#)



LH
AG
ADVOCATES
AND SOLICITORS



CK Lung
Partner

IP, Sports & Gaming

T: +603 6208 5948

E: ckl@lh-ag.com



Adeline Tang Pui Yan
Associate

IP, Sports & Gaming

T: +603 6208 5889

E: apy@lh-ag.com



Esther Koh Tsi Jing
Associate

IP, Sports & Gaming

T: +603 6208 5940

E: ktj@lh-ag.com

Follow us for more resources

