

INTELLECTUAL PROPERTY, SPORTS AND GAMING

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**LH
AG**
ADVOCATES
AND SOLICITORS

A SNEAK PEEK INSIDE THIS ISSUE:

*Global Cross-Licensing
Agreement For Patents
Signed By Huawei And
Oppo.*

*Mercedes-Benz Submitted
Five NFT Trademarks
Applications As It Embarks
On The Metaverse.*

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

CREATOR OF THE NFT BORED APE YACHT CLUB CONTINUES PURSUING TRADEMARK LITIGATION.

Yuga Labs Inc., the inventor of the NFT Bored Ape Yacht Club, filed a trademark infringement lawsuit against two artists who it claims sold counterfeit NFT with digital ape images. The lawsuit survived a motion to dismiss and accusations that it was initiated to silence the artists.

<https://news.bloomberglaw.com/ip-law/bored-ape-yacht-club-nft-creator-advances-trademark-lawsuit>



MERCEDES-BENZ SUBMITTED FIVE NFT TRADEMARKS APPLICATIONS AS IT EMBARKS ON THE METAVERSE.

The German global car manufacturer, Mercedes-Benz Group AG, has submitted a total of five trademark applications for their own line of NFTs, embarking on the Metaverse as the newest business.

<https://www.kitco.com/news/2022-12-20/Mercedes-Benz-steps-into-the-Metaverse-with-five-NFT-trademark-applications.html>

INTELLECTUAL PROPERTY

TRADEMARK



CHINA NATIONAL INTELLECTUAL PROPERTY ADMINISTRATION (“CNIPA”) RELEASED A STATEMENT ADDRESSING THE RE-REGISTRATION OF TRADEMARK AGENCIES.

Trademark offices which have registered with the CNIPA before 31 November 2022 are required to submit a new registration application between 1 January 2023 and 28 February 2023, according to a CNIPA notice.

<https://www.beijingeastip.com/type-news/weekly-china-trademark-news-updates-december-7-2022/>

INTELLECTUAL PROPERTY

PATENT



UNITED STATES (“US”) REQUESTS TO CONTINUE DISCUSSIONS FOR A NEW WTO PATENT WAIVER THROUGH 2023.

US Trade Representative Katherine Tai plans to query the US International Trade Commission to open an investigation into Covid diagnostics and treatments as the agency requires additional information about the market dynamics for the products involved. Due to the duration of this inquire, a deal to waiver patent protection for antiviral drugs including Pfizer Inc.'s Paxlovid, Merck & Co.'s Molnupiravir, Gilead Sciences Inc.'s Remdesivir, and Eli Lilly & Co.'s Baricitinib could be further delayed.

<https://news.bloomberglaw.com/coronavirus/us-wont-back-2022-patent-waivers-for-covid-tests-and-treatments>

GLOBAL CROSS-LICENSING AGREEMENT FOR PATENTS SIGNED BY HUAWEI AND OPPO.

OPPO and Huawei have recently reached a global patent cross-licensing agreement that covers 5G and other cellular standard-essential patents as it tries to find a new source of income after the U.S. sanctions destroyed its smartphone industry.

<https://www.cnbc.com/2022/12/09/huawei-licenses-5g-patents-to-rival-as-us-sanctions-bite.html>

MORE NEWS, UPDATES,
HOT TOPICS

COPYRIGHT - PG 5
SPORTS & GAMING
PG7

INTELLECTUAL PROPERTY

PATENT



PFIZER AND BIONTECH HAVE FILED A COUNTERSUIT AGAINST MODERNA IN THE COVID-19 VACCINE DISPUTE.

Moderna initially sued Pfizer and BioNTech in August by claiming that the two companies had infringed its rights in three patents pertaining to technologies it pioneered prior to the COVID-19 pandemic. Pfizer and BioNTech have now responded by requesting that Moderna's suit be dismissed and alleging that its patents are invalid and not infringed.

<https://www.reuters.com/legal/pfizer-biontech-countersue-moderna-over-covid-19-vaccine-patents-2022-12-05/>

INTELLECTUAL PROPERTY

COPYRIGHT

JUDGE DISMISSES THE “SHAKE IT OFF” COPYRIGHT CASE AGAINST TAYLOR SWIFT.

A judge has dismissed a US lawsuit that claimed Taylor Swift stole lyrics for her popular song “Shake It Off”. The pop artist was accused of stealing words from Songwriters Sean Hall and Nate Butler own hit song “Playas Gon’ Play” for the chorus of her song. Prior to the lawsuit, Taylor Swift denied having knowledge about the song.

<https://www.bbc.com/news/entertainment-arts-63956480>



DELHI HIGH COURT ORDERS WEBSITE TO BE BLOCKED FOR UNAUTHORISED USAGE OF LOUIS VUITTON PHOTOGRAPHS.

A website using images of the well-known French luxury label Louis Vuitton without its permission was ordered to be blocked by the Delhi High Court, which noted that there is a strong case for copyright infringement. The court ordered its owner, and its representatives from duplicating or disseminating the allegedly infringing pictures on the website until the next hearing date.

<https://www.livelaw.in/news-updates/delhi-high-court-blocking-website-louis-vuitton-photographs-217232>

INTELLECTUAL PROPERTY

COPYRIGHT

LAWMAKERS URGED THE HONG KONG GOVERNMENT TO PROVIDE SPECIFIC INSTANCES OF EXEMPTIONS UNDER REVISED COPYRIGHT LAWS.

In order to prevent public self-censorship as a result of the revisions to the copyright law recently approved by the Legislative Council, lawmaker Tik Chi-Yuen stated that Hong Kong authorities should clearly define and offer examples of what content is exempted from copyright.

<https://hongkongfp.com/2022/12/08/lawmaker-urges-hong-kong-govt-to-give-clear-examples-of-exemptions-under-copyright-law-changes/>



SPORTS & GAMING

US NATIONAL LABOR RELATIONS BOARD RULES NATIONAL COLLEGIATE ATHLETIC ASSOCIATION (“NCAA”) VIOLATED ATHLETES' LABOUR RIGHTS.

After the National Labor Relations Board ruled that college athletes are legally the employers of college football and basketball players, the National College Players Association will probably face the NCAA, Pac-12, and the University of Southern California in court.

<https://www.foxnews.com/sports/us-national-labor-relations-board-rules-ncaa-violated-athletes-labor-rights-court-meetings-likely-reports>



SPORTS & GAMING

SPAIN'S SENATE APPROVES AMENDMENTS TO GAMING LAW.

The Townsville location has been under investigation by the Office of Liquor and Gaming Regulation for months. The Ville is charged with running a purportedly "illegal junket operation" and making purportedly "unapproved agreements." The Townsville Magistrates Court is expected to hear the case in January 2023.

<https://www.abc.net.au/news/2022-12-12/ville-casino-charged-townsville-alleged-junket/101759374>



PREVIOUS PUBLICATIONS

Of Source Codes and Functions - Balancing Copyright Protection Against Monopolisation	Intellectual Property, Sports & Gaming Newsletter Vol. 1
'Willing to Wound but Afraid to Strike' - Threats in Trademark Infringement Proceedings	Intellectual Property, Sports & Gaming Newsletter Vol. 2
Competing Rights to Copyright in the Virtual Environment	Intellectual Property, Sports & Gaming Newsletter Vol. 3
Spilling the Beans in Litigation	Intellectual Property, Sports & Gaming Newsletter Vol. 4
The Price of Artificial Intelligence	Intellectual Property, Sports & Gaming Newsletter Vol. 5
State of Mind and the Plea of Innocence	Intellectual Property, Sports & Gaming Newsletter Vol. 6
False Sense of Security	Intellectual Property, Sports & Gaming Newsletter Vol. 7
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