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# INTELLECTUAL PROPERTY, SPORTS AND GAMING

Newsletter



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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**

#### **AUSTRALIAN FEDERAL COURT GRANTED INJUNCTIVE RELIEF TO THE POKÉMON COMPANY**

The Pokémon Company International Ltd., a subsidiary of the Pokémon Company in Japan was granted an injunction against Pokemon Pty Ltd., a business that has no connection to the company or the well-known gaming franchise, for among others, using the words “Pokemon” and/or “Pokémon” and/or “PokeWorld”.

<https://www.judgments.fedcourt.gov.au/judgments/Judgments/fca/single/2022/2022fca1561>



#### **US SOLICITOR GENERAL PERMITTED TO SUBMIT BEFORE THE HIGH COURT IN INTERNATIONAL TRADEMARK CASE**

The Lanham Act, a federal trademark law of the United States, and its worldwide application are at issue in this case. In its brief, the solicitor general submitted that the court should limit its inquiry to the question of “whether foreign trademark infringement caused consumer confusion in US markets”.

<https://news.bloomberglaw.com/ip-law/high-court-allows-doj-to-argue-in-international-trademark-case>

## ***INTELLECTUAL PROPERTY***

### **TRADEMARK**



#### **THE TAIWAN INTELLECTUAL PROPERTY OFFICE (“TIPO”) NOW PROVIDES ONLINE CERTIFICATES FOR PATENTS AND TRADEMARKS**

TIPO has started providing electronic patent and trademark certificates. Applicants now have the option to either elect a paper certificate or an electronic certificate when they request for their patent certificate or when paying for the registration fees for a trademark.

<https://www.asiaiplaw.com/article/tipo-now-offering-e-certificates-for-patent-trademark-registration>

## ***INTELLECTUAL PROPERTY***

### **PATENT**



#### **AMAZON SUBMITTED THE MAJORITY OF THE NEXT-GENERATION CAR DRIVING TECHNOLOGY PATENT APPLICATIONS**

Without the utilisation of modern CASE (connected, autonomous, shared, and electric) technology, it is difficult to build next generation driving technologies. According to research, since 2016, Amazon has submitted more than 200 applications yearly.

<https://asia.nikkei.com/Business/Automobiles/Amazon-leads-other-U.S.-tech-giants-in-driving-patent-applications2>

#### **U.S. SENATOR REQUESTS THE PATENT OFFICE TO EXAMINE MERCK'S CANCER THERAPY KEYTRUDA**

In a letter to the nation's patent regulator, U.S. Senator Elizabeth Warren urged rigorous examination of Merck & Co.'s patent applications on its cancer therapy Keytruda and warned that further efforts to protect the medication might amount to misuse of the legal system.

<https://www.reuters.com/world/us/senator-warren-urges-us-patent-office-scrutinize-mercks-keytruda-2023-02-23/>

## *INTELLECTUAL PROPERTY*

### PATENT



#### **TESLA FILED PATENT APPLICATION FOR ITS NEW "ULTRA-HARD" STEEL ALLOY**

Tesla intends to construct its Cybertruck with the "exoskeleton" composed of "ultra-hard" stainless steel. This has become one of its key distinguishing characteristics and Tesla has now submitted a patent application to protect the technology behind it.

<https://electrek.co/2023/02/24/tesla-applies-patent-ultra-hard-steel-cybertruck/>

## ***INTELLECTUAL PROPERTY***

### **COPYRIGHT**

#### **GAME DEVELOPER CONRADICAL GAMES ISSUES A COPYRIGHT STRIKE OVER ITS OWN VIDEO GAME**

The developer of 'The Outbound Ghost' video game, Conradical Games, has escalated its legal battle with the video game's console publisher, Digerati, by issuing a copyright strike on its own game under the Digital Millennium Copyright Act.

<https://www.nintendolife.com/news/2023/02/the-outbound-ghost-dev-copyright-strikes-its-own-game-over-legal-battle>



#### **THE DEFENDANTS IN DEBORAH ROBERTS COPYRIGHT INFRINGEMENT LAWSUIT FILED A DISMISSAL APPLICATION**

Deborah Roberts, a well-known international artist known for her mixed media collages of Black children, had filed a copyright infringement suit against the artist Lynthia Edwards, her dealer Richard Beavers, and his Brooklyn gallery ("Defendants"). The Defendants are attempting to have the Deborah's suit dismissed, citing "numerous legal deficiencies" in the original complaint and contended that her claims are not protected under copyright law.

<https://www.theartnewspaper.com/2023/02/02/lynthia-edwards-richard-beavers-deborah-roberts-copyright-infringement-case-motion-dismiss>

## *INTELLECTUAL PROPERTY*

### COPYRIGHT

#### ANTICIPATORY BAIL GRANTED BY KERALA HIGH COURT TO THE 'KANTARA' FILM MAKERS

The Kerala High Court has granted an anticipatory bail to the makers of the superhit Kannada film 'Kantara,' who were sued for plagiarising the song 'Varaha Roopam' under copyright laws.

<https://www.indialegallive.com/constitutional-law-news/courts-news/varaha-roopam-kerala-high-court-anticipatory-bail/>



## ***INTELLECTUAL PROPERTY***

### **COPYRIGHT**

#### **COPYRIGHT CO-AUTHORSHIP RIGHTS LIMITATIONS**

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The US Court of Appeals for the Sixth Circuit ruled that a statute of limitations can time-bar a defence in limited circumstances where a defendant uses it to seek affirmative relief. The Court ruled that the assertion of any co-authorship rights of a person who claims to be a co-author can be time-barred under copyright laws.

<https://www.natlawreview.com/article/nothing-lasts-everly-not-even-copyright-co-authorship-rights>



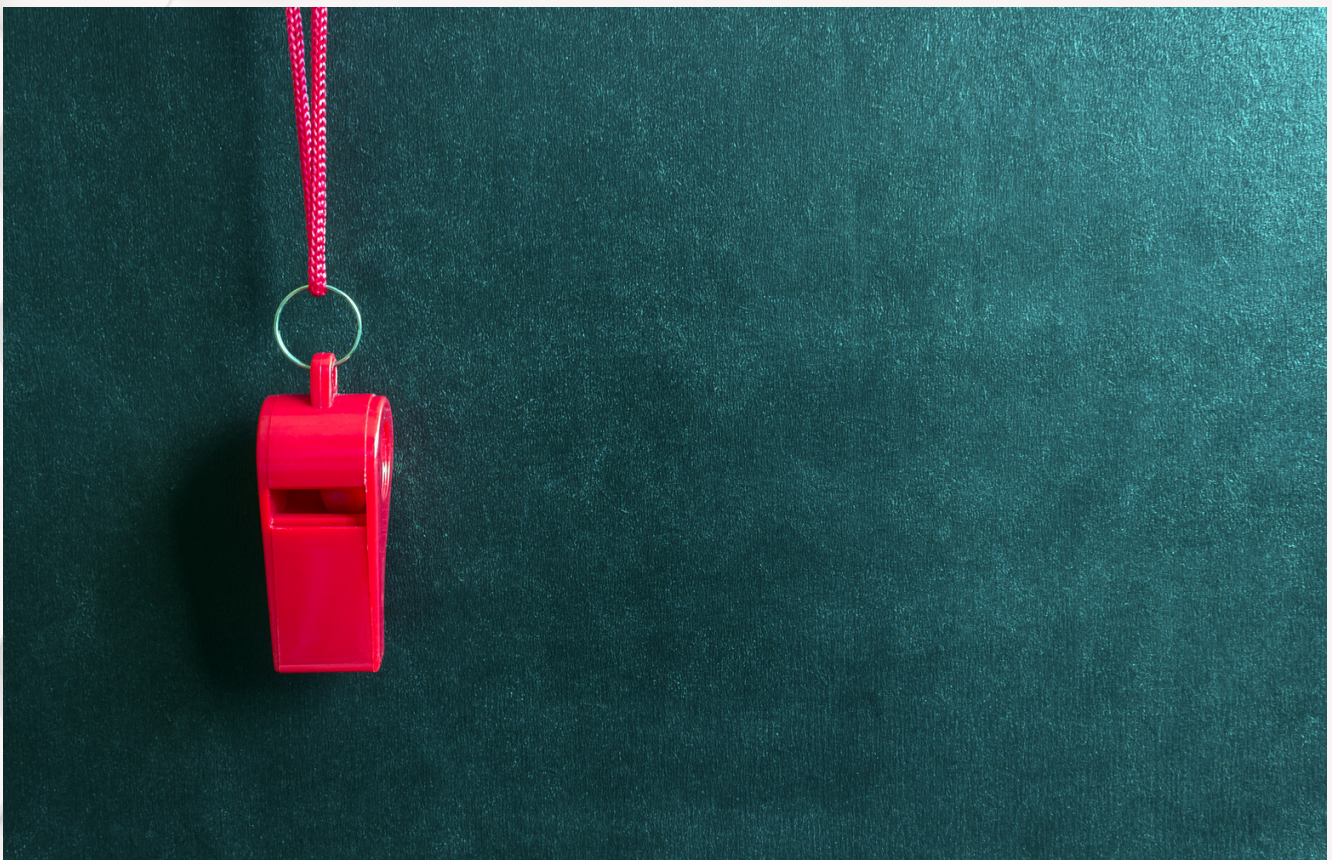


## ***SPORTS & GAMING***

### **MINISTER HANNAH YEOH DECIDES NOT TO PURSUE SAFE SPORT BILL**

Hannah Yeoh, the Minister of Youth and Sports in Malaysia, announced that she would not be introducing a Safe Sport Bill but assured that its provisions would be included in a Code. She explained that the ministry's effort to make the sporting ecosystem safer for athletes considered the lengthy and frequently complicated legislative process.

<https://www.malaymail.com/news/malaysia/2023/02/07/minister-hannah-yeoh-opts-against-pursuing-safe-sport-law-to-codify-instead/52597>



## ***SPORTS & GAMING***

### **CHINA TO CONSIDER STRICTER RESTRICTIONS ON YOUNG GAMERS**

Further limitations on the three-hour time limit for children under the age of 18 playing video games are reportedly being considered by the Chinese government.

<https://in.ign.com/policy/179467/news/china-considering-stricter-restrictions-for-young-gamers-report>



## ***SPORTS & GAMING***

### **EPIC GAMES ACCUSES GOOGLE OF VIOLATING CCI'S REMEDIAL DIRECTIONS IN ANDROID CASE**

The company that created the well-known online video game "Fortnite" and runs the Epic Games Store, Epic Games, has filed a complaint with the NCLAT claiming that Google has continued to violate the remedial directions provided by CCI in the Android case. According to Epic Games, Google did not follow the CCI's remedial directions by the deadline set by the Supreme Court in the Android case.

<https://www.thehindubusinessline.com/info-tech/fortnite-developer-alleges-violation-of-ccis-remedial-directions-by-google/article66499850.ece>



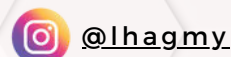
## PREVIOUS PUBLICATIONS

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
Privileges of 'Well-Known' Trademarks	Intellectual Property, Sports & Gaming Newsletter Vol. 8
Celebrity's Name Taken in Vain	Intellectual Property, Sports & Gaming Newsletter Vol. 9
Navigating the E-Money Landscape	Intellectual Property, Sports & Gaming Newsletter Vol.10
E-Commerce – Drive Towards Improved Postal Services	Intellectual Property, Sports & Gaming Newsletter Vol.11
Clipping the Wings of Social Media Influencers	Intellectual Property, Sports & Gaming Newsletter Vol.12
10 Key Amendments to Patent Law	Intellectual Property, Sports & Gaming Newsletter Vol.13
Copyright (Amendment) Act 2022	Intellectual Property, Sports & Gaming Newsletter Vol.14
Goodwill Unshaken by Negative Publicity	Intellectual Property, Sports & Gaming Newsletter Vol.15
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