

INTELLECTUAL PROPERTY, SPORTS AND GAMING

Lee Hishammuddin Allen & Gledhill



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ADVOCATES
AND SOLICITORS
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A SNEAK PEEK INSIDE THIS ISSUE:

*2 Russians arrested,
charged with running
online e-book piracy
website Z-Library*

*Disney Sued for Copyright
Infringement Over Song
From 'Frozen 2'*

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

CALCUTTA HIGH COURT RESTRAINS SOMABRATA MANDAL FROM CLAIMING ANY ASSOCIATION WITH LAW FIRM 'FOX & MANDAL'.

The Calcutta High Court prohibited Somabrata Mandal from using Fox & Mandal's trademark or claiming any affiliation with the services provided by the company. According to Fox & Mandal, Somabrata and his company Fox Mandal falsely claimed to have been "founded in the year 1896" and falsely claimed to be one of India's oldest and largest law firm and that it is associated with Fox & Mandal.

<https://www.livelaw.in/news-updates/calcutta-high-court-trade-mark-infringement-passing-off-law-firm-fox-mandal-somabarata-mandal-fox-mandal-214489>



DELHI HIGH COURT AWARDS ₹20 LAKH TO LOUIS VUITTON IN TRADEMARK INFRINGEMENT SUIT AGAINST CLUB FACTORY.

The Delhi High Court has granted Louis Vuitton Malletier, Rs. 20 lakhs in fees in its trademark infringement case against Club Factory, a Chinese e-commerce platform that was banned in India in 2021. In this lawsuit brought in year 2020, Louis Vuitton alleged the company was selling unlicensed goods bearing its marks, infringing on its rights to the Louis Vuitton mark and several other device marks.

<https://www.livelaw.in/news-updates/delhi-high-court-20-lakhs-louis-vuitton-trademark-infringement-suit-club-factory-213460>

INTELLECTUAL PROPERTY

TRADEMARK



MARIAH CAREY: US SINGER'S APPLICATION TO TRADEMARK 'QUEEN OF CHRISTMAS' DENIED.

The US Patent and Trademark Office rejected Mariah Carey's application to trademark the term "Queen of Christmas." With a successful application, she would have had the legal authority to prevent others from using the title on the music and merchandise. Carey's company Lotion LLC submitted the application last year, which prompted Elizabeth Chan to file a legal challenge to prevent her from receiving the trademark.

<https://www.bbc.com/news/entertainment-arts-63647164>

INTELLECTUAL PROPERTY

PATENT



INTEL HIT WITH \$949 MLN U.S. VERDICT IN VLSI COMPUTER CHIP PATENT TRIAL.

A federal jury in Texas ruled that Intel Corp. (INTC.O) must pay \$948.8 million to VLSI Technology LLC for infringing a patent for computer chips. During the six-day trial, VLSI, a patent holder associated with the SoftBank Group Corp. claimed that Intel's Cascade Lake and Skylake microprocessors infringed on its patent for data processing advancements.

<https://www.reuters.com/legal/intel-hit-with-9488-mln-us-verdict-vlsi-computer-chip-patent-trial-2022-11-15/>

DENTALMONITORING FILES PATENT INFRINGEMENT LAWSUIT.

Invisalign® manufactured by Align Technology, Inc. has been sued for patent infringement by DentalMonitoring SAS, the inventor of the first AI-driven remote monitoring and analysis solution for orthodontics.

<https://www.businesswire.com/news/home/20221118005592/en/DentalMonitoring-Files-Patent-Infringement-Lawsuit-Asserting-Three-Patents-Against-Align-Technology>

MORE NEWS, UPDATES,
HOT TOPICS

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INTELLECTUAL PROPERTY

PATENT



INDIA-UK FTA LANDS IN ROW OVER PATENT EVERGREENING.

The Lancet warned that the India-UK free trade deal that permits patent evergreening could hurt India's generics industry and the UK's healthcare system, which relies on Indian drugs. Controversy arose when a draft of the FTA's intellectual property chapter containing a provision allowing British pharmaceutical corporations to "evergreen" their drug patents was leaked.

<https://www.livemint.com/economy/indiauk-fta-lands-in-row-over-patent-evergreening-11668707411909.html>

INTELLECTUAL PROPERTY

COPYRIGHT

BANKSY URGES SHOPLIFTERS TO 'HELP THEMSELVES' TO GUESS CLOTHING AFTER COPYRIGHT ROW.

Accusing Guess of stealing his artwork, Banksy has urged shoplifters to visit Guess's flagship Regent Street store in the heart of London to "help themselves" to the clothing. With his 11.6 million Instagram followers, the anonymous graffiti artist posted a picture of the storefront window showcasing goods from the capsule collection that were inspired by his art.

<https://news.sky.com/story/banksy-urges-shoplifters-to-help-themselves-to-guess-clothing-after-copyright-row-12750932>



2 RUSSIANS ARRESTED, CHARGED WITH RUNNING ONLINE E-BOOK PIRACY WEBSITE Z-LIBRARY.

Two Russian nationals were charged by the federal prosecutors for running the online e-book pirate website, Z-Library. Around the time of the arrests, the US authorities shut down Z-Library's network of 249 web domains.

<https://www.cbsnews.com/news/2-russians-arrested-copyright-infringement-charges-online-e-book-piracy-website-z-library/>

INTELLECTUAL PROPERTY

COPYRIGHT

DISNEY SUED FOR COPYRIGHT INFRINGEMENT OVER SONG FROM 'FROZEN 2'.

The song "Some Things Never Change" from the Frozen II soundtrack is the subject to a copyright infringement lawsuit against The Walt Disney Company and authors Robert Lopez and Kristen Anderson-Lopez. Musician Daniel Grigson filed a lawsuit in Los Angeles Federal Court, claiming that the writers plagiarised elements of his song "That Girl," including chord progressions, melodic structure, and even some of the words. Grigson sought for both, profits made from the song and for the company to cease the use of the song.

https://www.news-daily.com/arena/disney-sued-for-copyright-infringement-over-song-from-frozen-2/article_899a0f44-42de-5a01-ad6d-b5d0c51e3de4.html



SPORTS & GAMING

HORSE RACING-APPEALS COURT RULES HORSE RACING SAFETY LAW UNCONSTITUTIONAL.

A federal appeals court in Louisiana declared that a law intended to make horse racing safer by establishing and enforcing national rules controlling the use of medications and the treatment of animals is "facially unconstitutional." Several horseracing associations, as well as government representatives from Texas, Louisiana, and West Virginia, challenged The Horseracing Integrity and Safety Authority (HISA) in court on the grounds that it had insufficient oversight. HISA officials expressed their disappointment with the decision and their intention to seek further review on the matter.

<https://www.thestar.com.my/sport/others/2022/11/19/horse-racing-appeals-court-rules-horse-racing-safety-law-unconstitutional>



SPORTS & GAMING

KAMILA VALIYEVA DOPING CASE GOES TO COURT OF ARBITRATION FOR SPORT.

Valiyeva was tested positive for a banned substance before the Beijing Games at a Russian competition. The World Anti-Doping Agency (WADA) announced that it had sent Kamila Valiyeva's Beijing Olympics case to the highest court in sports due to Russian officials making "no progress" in resolving it. Valiyeva has been competing in Russian tournaments while anti-doping proceedings have been ongoing.

<https://olympics.nbcports.com/2022/11/08/kamila-valieva-doping-case-figure-skating-russia/>



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 |
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