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INTELLECTUAL PROPERTY, SPORTS & GAMING



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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

LIDL PREVAILS IN TRADEMARK DISPUTE WITH TESCO OVER THE LOGO OF A DISCOUNT PLAN.

The English High Court ruled in favour of Lidl, a German bargain supermarket, in a trademark action against Tesco over the use of a yellow circle on a square blue backdrop. It was held that Tesco had "taken unfair advantage of the distinctive reputation" for cheap pricing that Lidl's trademarks possessed.

<https://www.reuters.com/business/retail-consumer/lidl-wins-trademark-lawsuit-against-tesco-over-discount-scheme-logo-2023-04-19/>



CHIPOTLE SUED SWEETGREEN FOR TRADEMARK INFRINGEMENT, PROMPTING THE COMPANY TO REBRAND ITS LATEST MENU ITEM.

Chipotle initiated a suit in the California Federal Court against Sweetgreen, claiming that the salad company's "Chipotle Chicken Burrito Bowl" constituted a trademark infringement. As a result, Sweetgreen's Chipotle Chicken Burrito Bowl has been renamed the "Chicken + Chipotle Pepper Bowl" as part of a tentative settlement agreement.

<https://www.cnn.com/2023/04/06/sweetgreen-chipotle-resolve-trademark-infringement-suit.html>

INTELLECTUAL PROPERTY

TRADEMARK



THE UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO) HAS ANNOUNCED NEW TRADEMARKS FOR HUMANITY AWARDS PROGRAMME.

The USPTO has published new Trademarks for Humanity awards programme to recognise brand owners who are utilising trademarks to address humanitarian issues.

<https://www.uspto.gov/about-us/news-updates/uspto-announces-new-trademarks-humanity-awards-competition>

INTELLECTUAL PROPERTY

PATENT



NETLIST WON PATENT INFRINGEMENT TRIAL AGAINST SAMSUNG FOR \$303 MILLION .

In a lawsuit brought by Netlist Inc, a leading developer of high-performance memory module technology, the jury in Marshall found that Samsung knowingly violated Netlist's patents which relate to "memory modules" for high-performance computing.

<https://www.reuters.com/legal/samsung-hit-with-303-mln-jury-verdict-computer-memory-patent-lawsuit-2023-04-21/>

CANON DECLARES THE END OF ITS LEGAL BATTLES WITH NINESTAR AND OTHERS OVER U.S. PATENTS.

Canon has entered into consent judgments with companies including Ninestar Corporation, LD Products Inc., The Supplies Guys Inc. and Easy Group LLC. This results in Canon obtaining permanent injunctions, exclusion orders, and cease and desist orders prohibiting the importation and sale of infringing toner supply containers and components.

<https://global.canon/en/news/2023/20230421a.htm>

INTELLECTUAL PROPERTY

PATENT



TRICOLOUR OBTAINS A U.S. PATENT FOR NEW AI TECHNOLOGY THAT WOULD INCREASE FINANCIAL INCLUSION FOR HISPANIC COMMUNITIES THAT ARE UNDERPRIVILEGED.

Tricolour, the leading used car reseller in the United States serving the Hispanic community, announced that Automás, an interactive artificial intelligence (AI) tool, has been granted a U.S. patent. Through the use of data from Tricolor's full integrated platform, this new technology gives traditionally underserved people the ability to choose and finance a high-quality, dependable car from Tricolour.

<https://www.globenewswire.com/news-release/2023/04/05/2641607/0/en/Tricolor-Secures-U-S-Patent-for-New-AI-Technology-Expanding-Financial-Inclusion-for-Underserved-Hispanic-Communities.html>

INTELLECTUAL PROPERTY

COPYRIGHT

UNITED STATES COPYRIGHT LAWSUIT CONCERNING ED SHEERAN'S 'THINKING OUT LOUD' AND MARVIN GAYE'S 'LET'S GET IT ON'.

Following the The jury selection process has begun in the Federal Court in Manhattan for a claim by Ed Townsend's heirs for the profits made by Ed Sheeran's 'Thinking Out Loud' which they claim copied Marvin Gaye's 'Let's Get it On'.

<https://www.reuters.com/legal/ed-sheeran-faces-us-copyright-trial-over-marvin-gayes-lets-get-it-on-2023-04-21/>



UNIVERSAL MUSIC GROUP'S COPYRIGHT CLAIM REMOVED AI 'FAKE DRAKE' TRACK ON SPOTIFY, YOUTUBE, AND TIKTOK.

Following the release of a track called 'heart on my sleeve' which featured AI-generated vocals of both Drake and The Weeknd on Spotify, Apple Music, SoundCloud, Deezer and TIDAL by its purported author, moniker ghostwriter, Universal Music Group filed a copyright claim to remove the said track.

<https://www.musicbusinessworldwide.com/ai-fake-drake-track-deleted-on-spotify-youtube-tiktok-millions-of-plays/>

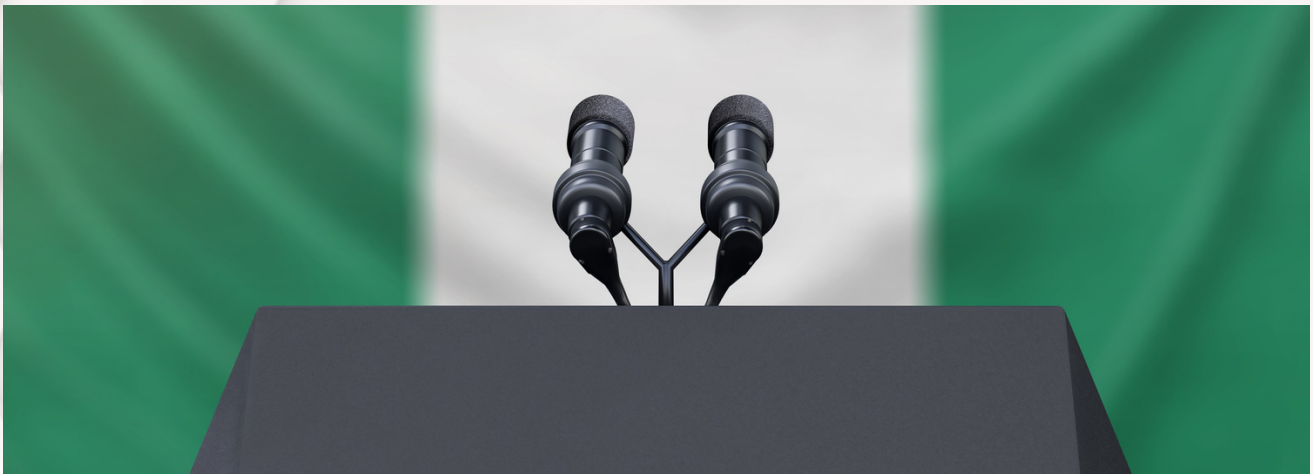
INTELLECTUAL PROPERTY

COPYRIGHT

PRESIDENT OF NIGERIA COMMENDED BY THE PERFORMING MUSICIANS EMPLOYERS ASSOCIATION OF NIGERIAN (“PMAN”) FOR SIGNING NEW COPYRIGHT ACT.

The President of Nigeria, President Muhammadu Buhari has been commended by PMAN for signing the amendment to the Copyright Bill that repeals the previous Nigerian Copyright Act. This amendment regulates, protects, and administers intellectual property rights in Nigeria.

<https://guardian.ng/saturday-magazine/pman-hails-buhari-for-signing-new-copyright-act/>



GOOGLE IMPLORES AUSTRALIA TO LEGISLATE COPYRIGHT LAWS THAT ARE AI FRIENDLY.

Google queried Australia's copyright restrictions in an open letter to the government, imploring that the legislation be relaxed so that artificial intelligence can be used freely. The company inquired whether the Australian government has assessed whether its copyright policy contains "the necessary flexibilities" to facilitate AI research. It asked the government to incorporate a fair dealing clause that would permit Text and Data Mining.

<https://gizmodo.com/google-pushes-australia-to-write-new-ai-copyright-laws-1850357231>

SPORTS & GAMING

SEVEN CLUBS IN CHINA'S FOOTBALL LEAGUE HAVE BEEN SUSPENDED FROM COMPETING DUE TO UNPAID WAGES.

Seven clubs were suspended by the Chinese Football Association (“CFA”) from participating in the next league season as these clubs had failed to pay wage arrears to its players. The CGA also informs its players that they may unilaterally terminate their contracts.

<https://www.scmp.com/sport/china/article/3216373/chinese-football-crisis-again-7-clubs-are-barred-league-over-unpaid-wages>



SPORTS & GAMING

POP STAR JAY CHOU COMMENCES LEGAL ACTION AGAINST NETEASE FOR DISTRIBUTING ALBUMS IN VIDEO GAME PROMOTION, CITING 'UNFAIR COMPETITION'.

According to Jay Chou's company, players were misled into thinking the online game "Tianxia III" had a "specific connection" with Jay Chou and JVR Music as a result of the NetEase marketing.

<https://www.scmp.com/tech/big-tech/article/3216675/pop-star-jay-chou-sues-netease-giving-away-albums-video-game-promotion-citing-unfair-competition>



SPORTS & GAMING

DIFFERENCES BETWEEN TAMIL NADU'S ONLINE-GAMING LAW FROM CENTRAL RULES.

The dispute about the legitimacy of the state-led prohibition has been revived in response to the Tamil Nadu government's ban on some internet games, including poker and rummy. Despite the strong stance taken by state law, the federal government favours a lenient regulatory approach.

<https://www.bqprime.com/business/ban-or-regulate-how-tamil-nadus-online-gaming-law-differs-from-central-rules>



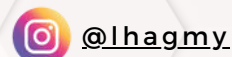
PREVIOUS PUBLICATIONS

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
Employers' Liability for Copyright Infringement	Intellectual Property, Sports & Gaming Newsletter Vol.16
	Intellectual Property, Sports & Gaming Newsletter Vol.17
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