

INTELLECTUAL PROPERTY, SPORTS & GAMING



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AGAINST SHEIN IN HONG KONG
FOR COPYRIGHT INFRINGEMENT

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INTELLECTUAL PROPERTY

TRADEMARK

POSSIBLE TRADEMARK INFRINGEMENT SUITS AGAINST THE NEW TWITTER NAME, "X"

Twitter's owner, Elon Musk has rebranded Twitter to "X" and introduced a new logo for the platform, a stylised black-and-white representation of the letter "X". This could possibly lead to allegation of trademark infringement by trademark owners of the same letter including Meta and Microsoft.

<https://www.thestar.com.my/tech/tech-news/2023/07/25/the-problem-with-x-meta-microsoft-hundreds-more-own-trademarks-to-new-twitter-name>



THE 'TACO TUESDAY' WAR HAS COME TO AN END

Two months after Taco Bell sought cancellation of the trademark registration "Taco Tuesday", the fast-food chain Taco John's made the announcement that it will "abandon" its "Taco Tuesday" trademark.

<https://www.forbes.com/sites/mollybohannon/2023/07/18/taco-tuesday-war-ends-in-truce-taco-johns-ends-trademark-fight-with-taco-bell/?sh=598dd1db6ba5>

INTELLECTUAL PROPERTY

TRADEMARK



THE MANUKA HONEY TRADEMARK DISPUTE IN RELATION TO TRADEMARK DISTINCTIVENESS

The Manuka Honey Appellation Society sought to register “Manuka Honey” as a certification trademark in New Zealand, but the Intellectual Property Office of New Zealand (“IPONZ”) upheld the Australian Manuka Honey Association’s opposition to the application. IPONZ decided that the term “Manuka” is descriptive and therefore cannot be registered.

<https://asiaiplaw.com/section/news-analysis/manuka-honey-trademark-case-in-nz-underscores-challenges-related-to-distinctiveness>

INTELLECTUAL PROPERTY

PATENT



APPLE SECURES A PATENT FOR AN IDEVICE CAPABLE OF PLAYING LPS

The patent, which received approval from US officials on July 25, approximately two years after its initial filing, outlines a concept involving the connection of portable Apple screens, most likely iPads, to a hinge that is attached to a baseplate. The baseplate, as described in the document, may incorporate a processor, battery, and memory.

https://www.theregister.com/2023/07/28/apple_patent_modular_laptop/

MODERNA TAKES ON PFIZER AND BIONTECH IN IRELAND AND BELGIUM IN THE NEXT ROUND OF VACCINE PATENT DISPUTES

In the next phase of COVID-19 vaccine patent disputes, Moderna, a US pharmaceutical company, has initiated patent infringement lawsuits against Pfizer and BioNTech at the High Court in Dublin, Ireland. Additionally, Moderna has filed a similar suit at the Brussels Commercial Court in Belgium. With these legal actions, all three companies are now engaged in legal battles across four European countries, as well as two parallel cases in the United States and the United Kingdom.

<https://www.juve-patent.com/cases/moderna-targets-ireland-and-belgium-in-next-round-against-pfizer-and-biontech/>

INTELLECTUAL PROPERTY

PATENT



JOHNSON & JOHNSON GRANTS PERMISSION TO A NON-PROFIT ORGANIZATION TO DISTRIBUTE A GENERIC VARIANT OF ITS TUBERCULOSIS DRUG

Johnson & Johnson has authorized Stop TB Partnership, a nonprofit based in Switzerland, to distribute a generic version of its tuberculosis drug SIRTURO (bedaquiline) in low- and middle-income countries. This decision allays concerns that the drug would remain financially inaccessible for many communities worldwide.

<https://www.forbes.com/sites/willskipworth/2023/07/13/johnson--johnson-letting-nonprofit-distribute-life-saving-generic-tuberculosis-drug-greatly-expanding-access-in-poorer-countries/?sh=3efe70a83dcd>

INTELLECTUAL PROPERTY

COPYRIGHT

H&M HAS FILED LAWSUIT AGAINST SHEIN IN HONG KONG FOR COPYRIGHT INFRINGEMENT

Swedish fashion giant Hennes & Mauritz (H&M) has officially taken legal action against its rapidly expanding competitor, Shein, by filing a lawsuit for significant copyright infringement in a Hong Kong court. During a hearing on June 21 at the Hong Kong High Court, evidence, including images of various products like swimwear and sweaters, was presented by H&M to support their claim that Shein had replicated their designs. The case has garnered public attention, and the next court hearing is set for July 31.

<https://www.campaignasia.com/article/hm-files-lawsuit-against-shein-in-hong-kong-for-copyright-infringement/485522>



PLAYING BOLLYWOOD SONGS AT WEDDING CEREMONIES IS NOT CONSIDERED A COPYRIGHT INFRINGEMENT

The Indian Union government has issued a directive that permits the playing of Bollywood music at wedding ceremonies and related festivities without the risk of copyright infringement. The move aims to ease complexities and costs associated with playing copyrighted music during such occasions.

<https://economictimes.indiatimes.com/news/india/manipur-violence-state-govt-to-take-action-against-those-peddling-fake-news/articleshow/102244331.cms>

SPORTS

THE MINISTRY HAS ESTABLISHED AN INDEPENDENT PANEL TO ADDRESS SPORTS-RELATED DISPUTES

The Youth and Sports Ministry has set up an independent committee under the Sport Development Act. This committee's role is to resolve disputes raised by members of a sports body or the organization itself. If internal resolution attempts fail, the committee will act as an autonomous entity, seeking solutions for sports-related disputes, as stated by the ministry in a recent announcement.

<https://www.freemalaysiatoday.com/category/nation/2023/07/03/ministry-sets-up-independent-panel-to-resolve-sport-related-disputes/>



SPORTS

AFTER VICTORIA WITHDREW ITS BID, GOLD COAST HAS STEPPED FORWARD AND OFFERED TO HOST THE 2026 COMMONWEALTH GAMES

In response to Victoria's inability to proceed with hosting the 2026 Commonwealth Games due to a debt crisis, the mayor of Gold Coast, Tom Tate, has extended an offer to host the event. Mayor Tate expressed confidence that the city could successfully host the games and has already communicated his intentions to Queensland Premier Anastasia Palaszczuk.

<https://www.dailymail.co.uk/news/article-12318053/Gold-Coast-offers-host-2026-Commonwealth-Games-Victoria-pulled-out.html>

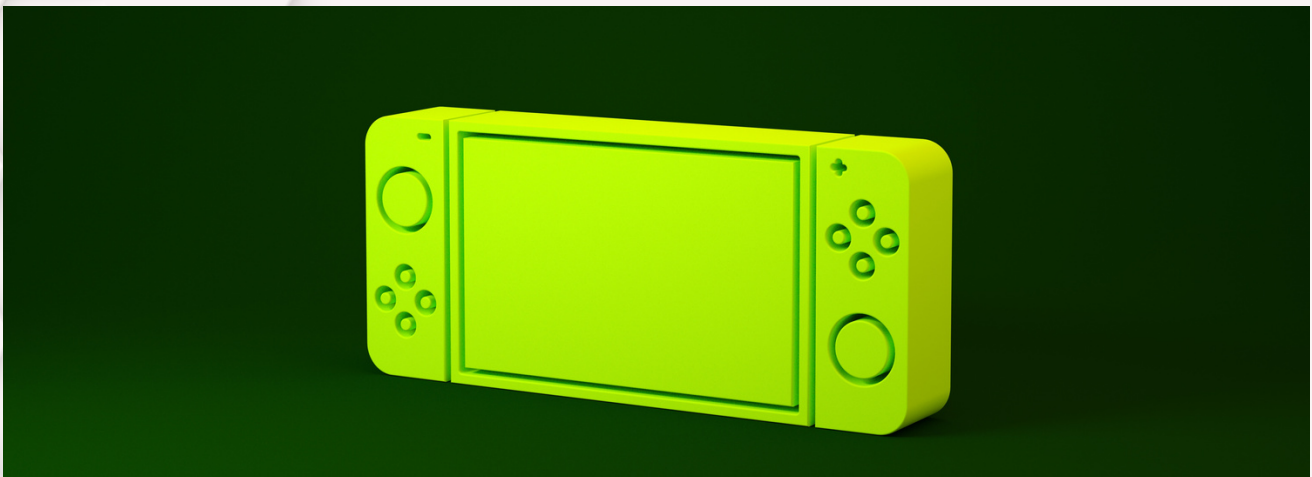


GAMING

EU LAW MANDATES REPLACEABLE BATTERIES FOR GAMING HANDHELDS LIKE THE NINTENDO SWITCH AND VALVE'S STEAM DECK

The European Council has approved new regulations for batteries, aiming to promote a circular economy by regulating their entire life cycle. As per these regulations, portable batteries in "appliances" must be removable and replaceable by the year 2027.

<https://hothardware.com/news/eu-law-force-gaming-handhelds-to-offer-replaceable-batteries>



AN IT VENDOR IS APPEALING AGAINST A US\$6.5 MILLION DAMAGES AWARD GRANTED TO GAMING FIRM RAZER FOR A DATA LEAK INCIDENT

IT vendor Capgemini's lawyers claimed in court that they should only be required to pay "nominal damages" to gaming hardware maker Razer for a data leak, as opposed to the US\$6.5 million (S\$8.7 million) that they were previously ordered to pay. In response, lawyers for Razer argued that the amount of damages should not be decreased while trying to establish that they had not been contributorily negligent or failed to mitigate the data leak.

<https://www.channelnewsasia.com/singapore/razer-data-leak-it-vendor-capgemini-appeal-damages-3618121>

PREVIOUS PUBLICATIONS

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| '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 |
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