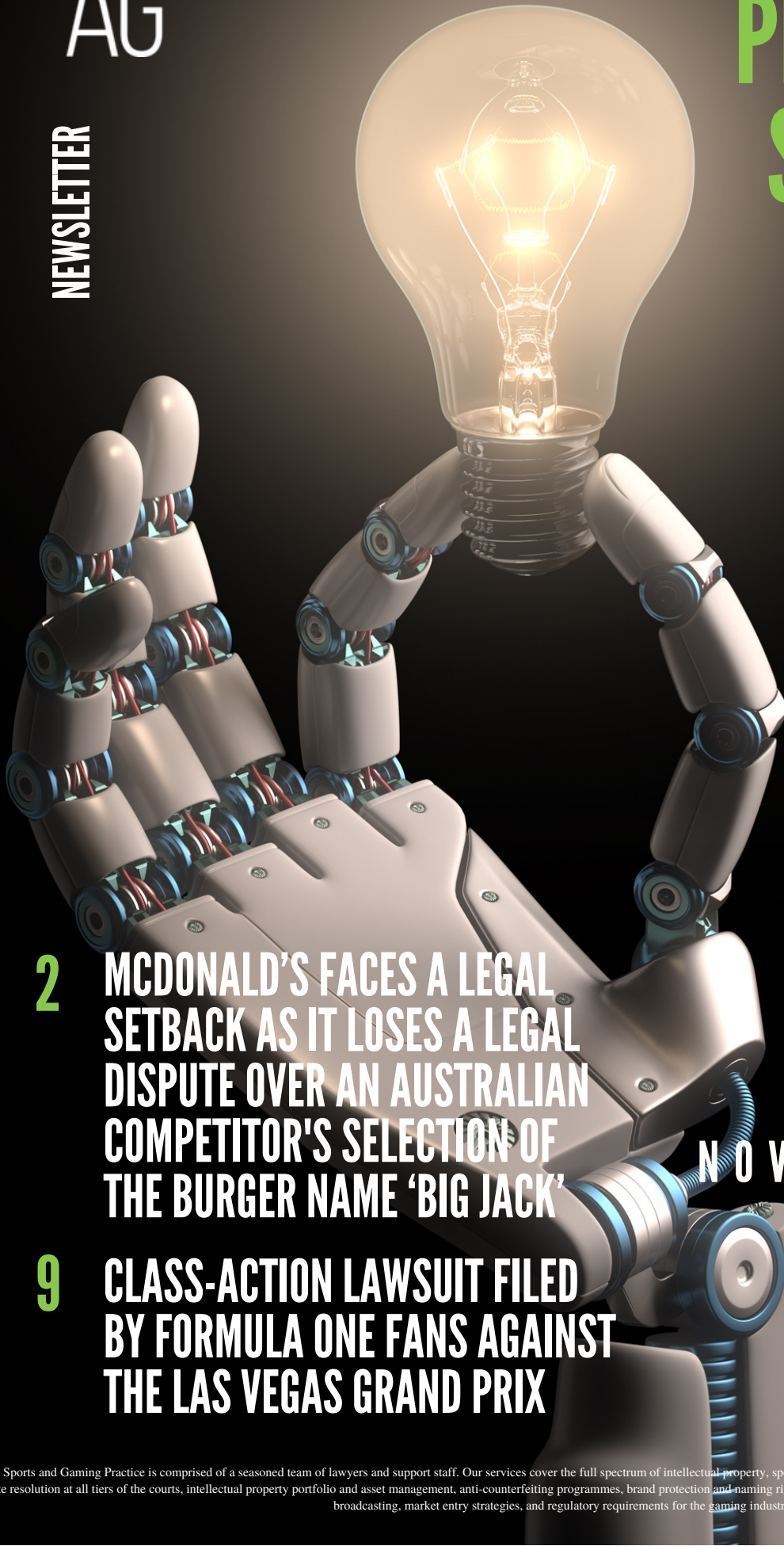


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INTELLECTUAL PROPERTY

TRADEMARK

MEMBER OF PARLIAMENT EXPRESSES FRUSTRATION OVER THE EXTENDED DELAYS IN THE APPROVAL PROCESS FOR PATENT AND TRADEMARK APPLICATIONS IN MALAYSIA

A government backbencher, Syahredzan Johan, has raised concerns about the lengthy patent and trademark application process at the Intellectual Property Corporation of Malaysia (MyIPO). He highlighted that the processing time for applications, especially those facing objections, can take 24 to 36 months. Syahredzan urged the domestic trade and cost of living ministry to address these delays, suggesting that vacancies in senior positions at MyIPO might be a contributing factor.

<https://www.freemalaysiatoday.com/category/nation/2023/11/14/mp-laments-long-wait-for-approval-of-patent-trademark-applications/>



SMART LABS IS PROHIBITED FROM USING THE TERM “AZIWAKE” AS IT IS DEEMED TO BE DECEPTIVELY SIMILAR TO DR. REDDY’S TRADEMARKED TERM “AZIWOK”

In an interim order, the Delhi High Court has prohibited Smart Laboratories from using the mark “Aziwake”, claiming it to be deceptively similar to Dr. Reddy’s Lab’s registered trademark “Aziwok”. The restriction applies to the use of “Aziwake” with or without any prefixes or suffixes, specifically in the context of pharmaceutical preparations or any related goods or services.

<https://economictimes.indiatimes.com/industry/healthcare/biotech/pharmaceuticals/smart-labs-barred-from-using-aziwake-mark-alleged-to-be-deceptively-similar-to-dr-reddys-trademark-aziwok/articleshow/105268761.cms>

INTELLECTUAL PROPERTY

TRADEMARK

LEGAL DISPUTE CONCERNING THE TRADEMARK FOR THE EXPRESSION 'TRUMP TOO SMALL'

In a recent case concerning an attempt to trademark the phrase "Trump too small", the U.S. Supreme Court, which had previously struck down parts of trademark law restricting immoral and disparaging marks, seemed hesitant to extend those rulings to a provision preventing trademarks of living individuals without written consent.

<https://economictimes.indiatimes.com/news/international/us/legal-battle-over-trademark-of-the-phrase-trump-too-small/articleshow/104924343.cms>



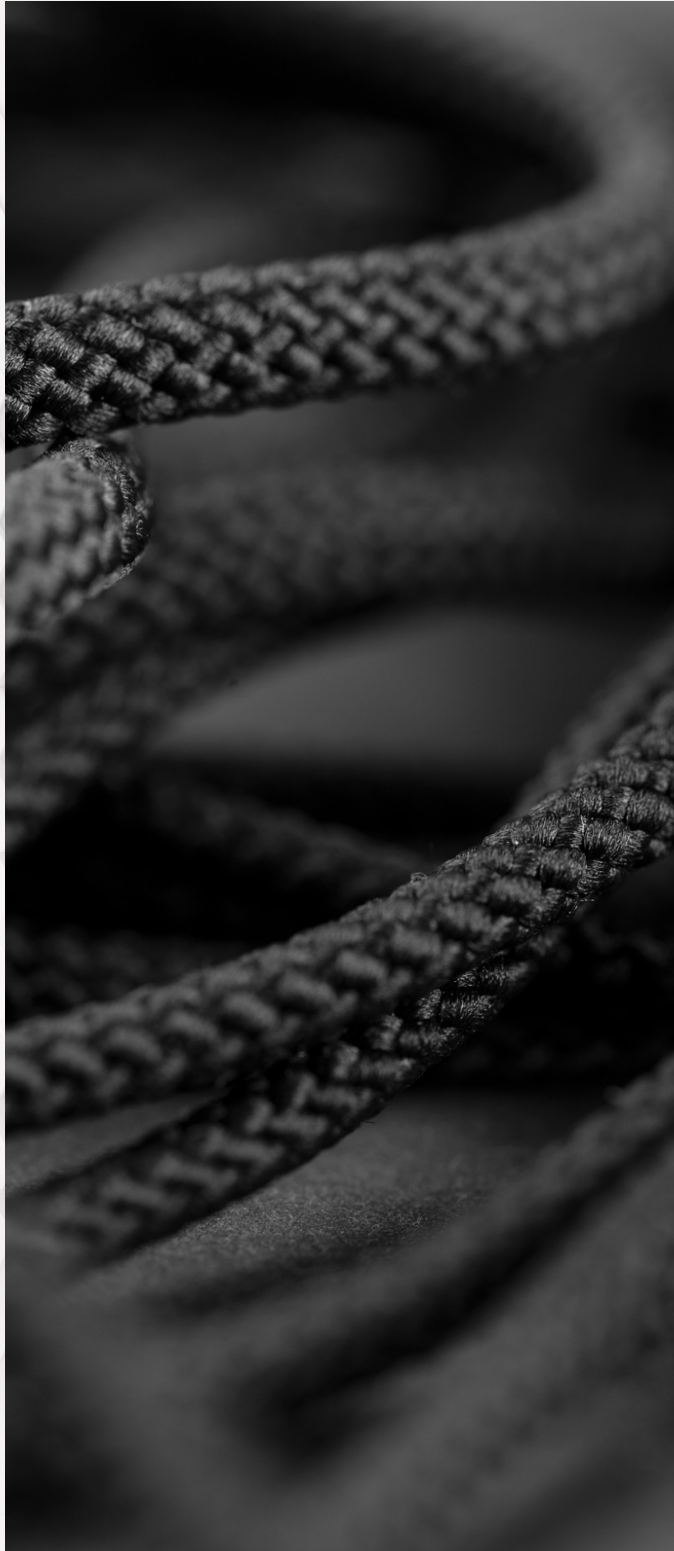
MCDONALD'S FACES A LEGAL SETBACK AS IT LOSES A LEGAL DISPUTE OVER AN AUSTRALIAN COMPETITOR'S SELECTION OF THE BURGER NAME 'BIG JACK'

After a three-year trademark battle, McDonald's has lost its case against Hungry Jack's over the sale of "Big Jack" burgers. In 2020, McDonald's sued Hungry Jack's, alleging that the sale of Big Jack and Mega Jack burgers infringed on the Big Mac trademark. However, the federal court dismissed these claims, stating that neither of Hungry Jack's burger brands was deceptively similar to the Big Mac, and therefore, there was no trademark infringement by Hungry Jack's.

<https://www.theguardian.com/australia-news/2023/nov/16/big-jack-mcdonalds-hungry-jacks-court-case-burger-name-meat-content>

INTELLECTUAL PROPERTY

PATENT



NIKE INITIATES LEGAL ACTION AGAINST NEW BALANCE AND SKECHERS, ALLEGING PATENT INFRINGEMENT

Nike has filed patent infringement lawsuits against competitors New Balance and Skechers, accusing them of wrongfully using Nike's technology, particularly the Flyknit fiber, known for making shoes lightweight and strong. Nike claims that Flyknit, developed after a decade of research, has significantly reduced materials waste and diverted millions of plastic bottles from landfills. Despite sending cease-and-desist letters, Nike alleges that New Balance's infringement is expanding.

<https://www.cbsnews.com/news/nike-new-balance-skechers-lawsuit-flyknit/>

NIPPON STEEL HAS DECIDED TO WITHDRAW ITS PATENT LAWSUITS AGAINST TOYOTA AND MITSUI

Nippon Steel has dropped lawsuits against Toyota Motor and Mitsui & Co over electrical steel sheet patents, filed in 2021, without seeking compensatory damages. However, the company continues its legal action against China's Baoshan Iron & Steel (Baosteel), asserting patent infringement and pursuing damages. Nippon Steel emphasizes its commitment to protecting intellectual property rights in technological development. Baosteel states it will actively respond to the lawsuit and defend its rights and interests.

<https://www.reuters.com/business/autos-transportation/nippon-steel-drops-patent-lawsuits-against-toyota-mitsui-2023-11-02/>

INTELLECTUAL PROPERTY

PATENT

EXACT SCIENCES BRINGS PATENT INFRINGEMENT LAWSUIT AGAINST GENEOSCOPY

Exact Sciences Corp., a prominent provider of cancer screening and diagnostic tests, has officially filed a lawsuit against Geneoscopy, Inc. in the United States District Court for the District of Delaware. The legal action aims to obtain damages and a court-issued order preventing Geneoscopy from producing, utilising, selling, or promoting Geneoscopy's ColoSense product, or engaging in any activities that would infringe on its U.S. patent.

https://finance.yahoo.com/news/exact-sciences-files-patent-infringement-121000020.html?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xlLmNvbS8&guce_referrer_sig=AQAAADsLfkeoljZWLmo6jDI6qkyfFJwXkwE2EaeC6nLjL6B8Ddwh4xydJQXBKNfdFoc2OMZQP9mGMmXljdjdir_QlZ4n6BliNc-Ak5RF3Ta3U_zyk_1cxWifuQw9sdvtsirDlDlseDDFFeFYJOQDI4Rh7gaHt1F2touhoZQFxtTKkkFGN5



NOKIA SUES AMAZON AND HP FOR PATENT INFRINGEMENT ON VIDEO-RELATED TECHNOLOGIES IN VARIOUS JURISDICTIONS, INCLUDING THE US AND THE EUROPEAN UNIFIED PATENT COURT

Nokia has filed patent infringement lawsuits against Amazon and HP in multiple jurisdictions, including the US, Germany, India, and the UK. The complaints pertain to video-related technologies, focusing on Amazon's Prime Video service and devices that Nokia alleges violate its patents related to video compression, content delivery, content recommendation, and hardware aspects.

<https://www.euronews.com/business/2023/11/02/sometimes-litigation-is-the-only-way-nokia-sues-amazon-and-hp-over-patent-infringement>

INTELLECTUAL PROPERTY

COPYRIGHT

JUDGE TO DISMISS A PART OF AUTHORS' LAWSUIT ON AI COPYRIGHT

A federal judge is poised to dismiss part of a lawsuit, including comedian Sarah Silverman, against Meta's Llama AI for alleged copyright infringement. The judge contends the authors' claim lacks merit since querying Llama doesn't seek specific book copies. However, authors can amend their claims, and a core issue regarding unauthorised copies for AI training remains. The decision aligns with predictions of challenges to copyright claims, reflecting a broader trend. Open AI awaits a decision on a similar motion in another lawsuit.

<https://www.publishersweekly.com/pw/by-topic/industry-news/publisher-news/article/93726-judge-will-toss-part-of-authors-ai-copyright-lawsuit.html>



COPYRIGHT INFRINGEMENT LAWSUIT AND ALLEGATIONS OF SEXUAL HARASSMENT AGAINST GUNS N' ROSES

Photographer Katarina Benzova is suing Guns N' Roses for copyright infringement and workplace sexual harassment, claiming the band falsely asserted ownership of her photos. The lawsuit alleges consistent sexual harassment by the band's manager, Fernando Lebeis. Guns N' Roses disputes her photo registrations in response to a prior lawsuit. Benzova seeks an ownership declaration, citing routine infringement, while the band denies her claims. Lebeis is accused of unwelcome advances, explicit messages, and attempted assault, which Guns N' Roses dismisses as untrue.

<https://www.rollingstone.com/music/music-news/guns-n-roses-manager-sued-sexual-harassment-copyright-claims-1234877430/>

INTELLECTUAL PROPERTY

COPYRIGHT

ANDY STONE REVIVES \$20M COPYRIGHT LAWSUIT OVER MARIAH CAREY'S FESTIVE CLASSIC

Country singer Andy Stone, performing as Vince Vance, refiles a \$20 million copyright lawsuit against Mariah Carey, alleging her holiday hit “All I Want for Christmas Is You” copied his band’s song. Stone claims similarities in compositional structure, lyrics, and melody. The lawsuit targets Sony Music and Universal Music Group. Carey’s previous lawsuit dismissal in 2022 prompts this fresh legal battle.

<https://www.hindustantimes.com/entertainment/music/is-mariah-careys-festive-classic-a-copy-andy-stone-reignites-20m-copyright-suit-over-careys-holiday-hit-101698951918743.html>



GAMING

LAWSUIT FILED AGAINST EA, EPIC GAMES, UBISOFT, AND OTHERS, ACCUSING THEM OF CAUSING VIDEO GAME ADDICTION IN CHILDREN

A lawsuit in an Arkansas court accuses major video game companies, including Activision Blizzard, Microsoft, Epic Games, and EA, of causing video game addiction in children through patented designs and addictive features. Filed by Casey Dunn on October 30, the lawsuit alleges the use of feedback loops, predatory monetization, and data harvesting targeting minors. Dunn claims her son's education, social life, and health suffered due to gaming addiction. The lawsuit seeks mental health resources, monetary compensation, and changes in how games are created for children.

<https://in.ign.com/india/197367/news/ea-epic-games-ubisoft-and-others-face-a-lawsuit-accusing-them-of-causing-video-game-addiction-in-chi>



UBISOFT COLLABORATES WITH MENTAL HEALTH CHARITY SAFE IN OUR WORLD TO ADDRESS TOXICITY IN GAMING

Ubisoft has partnered with mental health charity Safe In Our World to launch the Good Game Playbook, a guide aimed at supporting players experiencing and perpetrating toxic behaviour online. The playbook will be sent automatically to players reported for disruptive behaviour in games like For Honor and Rainbow Six Siege. It aims to help perpetrators recognise warning signs, manage anger, and practice self-care.

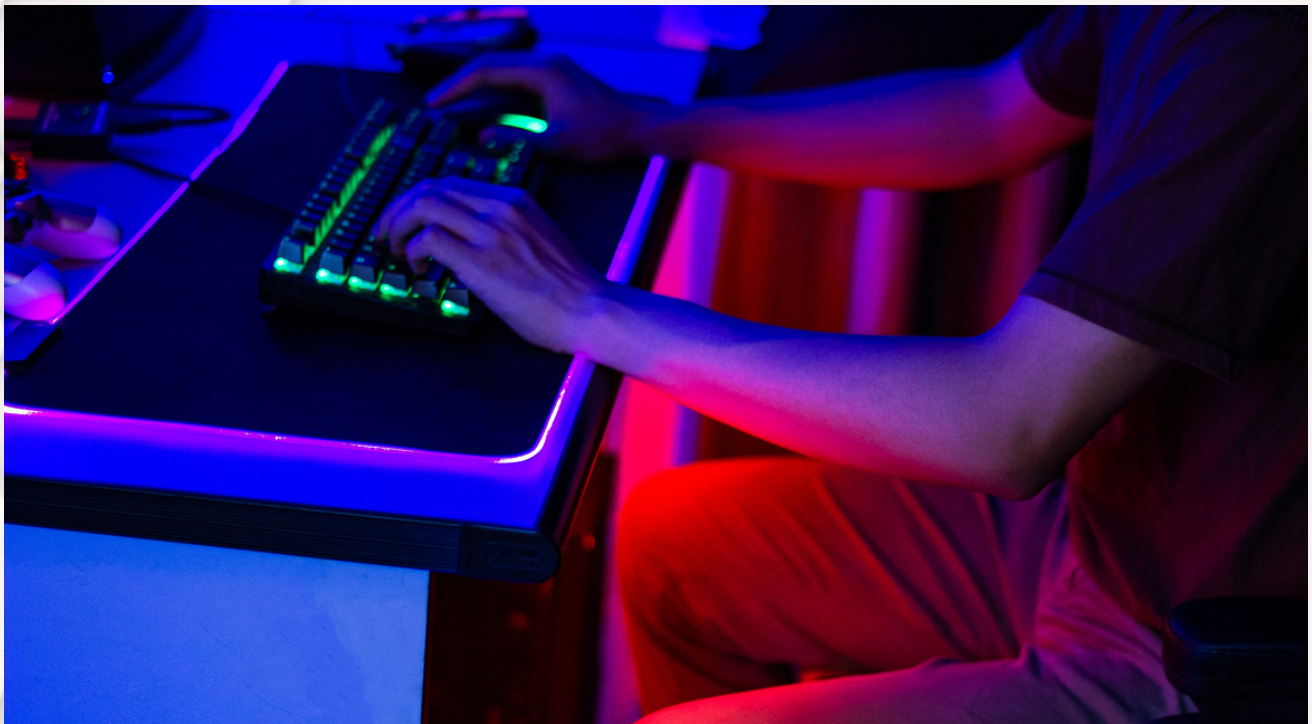
<https://www.techradar.com/gaming/ubisoft-partners-with-mental-health-charity-safe-in-our-world-to-combat-toxicity-in-games>

GAMING

CHINA ANNOUNCES VICTORY OVER GAMING ADDICTION

China claims success in curbing gaming addiction among children, with a reported three-quarters adhering to the gaming time limits imposed by the government. The restrictions, introduced in 2019 and tightened in 2021, limit gaming to one hour on specific days and times. However, experts question whether the announcement is linked to China's broader cultural restrictions, concerns about private communication through gaming, or its ambitions in the gaming industry.

https://cybernews.com/editorial/china-declares-it-conquered-gaming-addiction/#google_vignette



SPORTS

CLASS-ACTION LAWSUIT FILED BY FORMULA ONE FANS AGAINST THE LAS VEGAS GRAND PRIX

Formula One fans, upset over being asked to leave the Las Vegas Grand Prix venue before the second practice session, have filed a class-action lawsuit seeking at least \$30,000 in damages. The lawsuit targets the Las Vegas Grand Prix and Liberty Media, its owner. The disruption occurred due to a water valve cover damage, leading to a two-and-a-half-hour delay in the second session. While race officials offered a \$200 discount at the gift shop, the lawsuit alleges a breach of contract and seeks compensation for the affected fans.

<https://www.stuff.co.nz/sport/motorsport/301011415/formula-one-fans-file-classaction-lawsuit-against-the-las-vegas-grand-prix>



HEAD COACH OF WARROAD GIRLS HOCKEY FILES DEFAMATION LAWSUIT AGAINST PARENT GROUP OVER ALLEGED 'WILD FABRICATIONS'

The head coach of Warroad High School girls' hockey team, David Marvin, is suing a group of parents for defamation over allegations of misconduct in a public letter. Marvin claims the letter contains baseless allegations and false statements, accusing the parents of a campaign to harm his reputation. The lawsuit names specific parents and alleges they continued their campaign on social media after the school investigated and renewed Marvin's coaching contract. Marvin seeks \$50,000 in damages and an injunction against the parents for making defamatory statements.

<https://www.si.com/fannation/bringmethesports/mn-high-school-sports/warroad-girls-hockey-head-coach-launches-defamation-suit-against-parent-group-over-wild-fabrications>

SPORTS



IOC, WHO, AND PATH COLLABORATE TO ENHANCE THE IMPACT OF COMMUNITY SPORTS IN ADVANCING HEALTHY LIFESTYLES

The International Olympic Committee (IOC) and International Health Non-Governmental Organisation (PATH) are partnering to increase access to health-enhancing community sports for over a million people across five countries by 2025. This collaboration, part of the IOC's agreement with the WHO, will support community sports projects through national health and sport groups. The initiative begins in Vietnam, serving as a proof of concept for the "Community Sport and Health Cooperation Initiative", with plans to expand to four more countries.

<https://olympics.com/ioc/news/ioc-who-and-path-join-forces-to-strengthen-the-role-of-community-sport-in-promoting-healthy-lives>

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
Court of Appeal Reaffirms Test for Breach of Confidence	Intellectual Property, Sports & Gaming Newsletter Vol.17
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	Intellectual Property, Sports & Gaming Newsletter Vol.27

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