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## INTELLECTUAL PROPERTY

### TRADEMARK

#### UK HIGH COURT RULES IN FAVOUR OF GOOGLE OVER 'SHORTS' TRADEMARK DISPUTE

The UK High Court ruled in favour of Google, allowing it to continue using "Shorts" for its YouTube platform. Shorts International, a British short films TV channel, had sued Google, claiming the name infringed on its "Shorts" trademark. However, Judge Michael Tappin found no likelihood of confusion, stating that uses of the word "shorts" does not harm the trademark's distinctiveness or reputation.

[https://sg.news.yahoo.com/the-name-youtube-shorts-isnt-a-trademark-infringement-uk-court-rules-150258393.html?](https://sg.news.yahoo.com/the-name-youtube-shorts-isnt-a-trademark-infringement-uk-court-rules-150258393.html?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xlMmNvbS8&guce_referrer_sig=AQAAAJb3JKYaw9KXNXvx1CYI1p3FfFuz1JUS-Tk4vDmgSGKyIXFF7MHDWJWHGcYmwUpOM0BvojuYqAPzq8USbEVuC74ZpXqW_XTyV32gpS6bgrl1qekAYAXRF3n5f2hGa30aeu0gKjx5KzQpk-eE4kF5MgeFSHkoPhf6NHkI2_W-vGN)

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#### AMAZON'S COUNTERFEIT CRIMES UNIT TAKES LEGAL ACTION AGAINST FRAUDULENT BRAND REGISTRY ABUSE

Amazon's Counterfeit Crimes Unit ("CCU") has filed lawsuits against individuals who acquired invalid trademarks to access the Amazon Brand Registry fraudulently. These individuals also made false infringement claims to remove legitimate sellers and their products from Amazon's platform.

<https://www.lawyer-monthly.com/2024/10/amazon-lawsuit-targets-bad-actors-for-invalid-trademarks-and-fake-complaints/>

## ***INTELLECTUAL PROPERTY***

### **TRADEMARK**

#### **EUIPO DENIES BOSSPOWERL TRADEMARK APPLICATION AFTER OPPOSITION FROM HUGO BOSS**

The EU Intellectual Property Office (“EUIPO”) has denied a trademark application from a Chinese electronics company for the figurative mark BOSSPOWERL, ruling that it was “free riding” on the established reputation of the luxury fashion brand Hugo Boss’s prior trademarks.

<https://www.globallegalpost.com/news/technology-is-reshaping-fashion-hugo-boss-fights-off-bosspowerl-trademark-at-euipo-1902629823>



#### **WWE CLAIMS OWNERSHIP AS BRYAN DANIELSON WITHDRAWS HIS 'YES YES YES' TRADEMARK APPLICATION**

Bryan Danielson has withdrawn his trademark application for “Yes Yes Yes” following a legal notice from WWE concerning intellectual property infringement. Subsequently, WWE submitted its own trademark applications pertaining to wrestling entertainment services and associated merchandise, ensuring their claim to the phrase linked to Danielson’s character.

<https://timesofindia.indiatimes.com/sports/wwe/top-stories/wwe-files-trademark-for-bryan-danielsons-iconic-yes-catchphrase/articleshow/113852388.cms>

## ***INTELLECTUAL PROPERTY***

### **PATENT**

#### **APPLE WINS PATENT INFRINGEMENT CASE AGAINST MASIMO BUT RECEIVES MINIMUM DAMAGES**

In a surprising outcome in a high-stakes patent dispute, a federal jury awarded Apple just \$250 in damages—the minimum statutory amount—despite ruling that early versions of Masimo’s W1 and Freedom smartwatches and their chargers had infringed two of Apple’s smartwatch design patents. Apple, which initiated the lawsuit in Delaware, emphasised that its primary objective was not financial compensation but an injunction to prevent further sales of Masimo’s smartwatches.

However, Masimo achieved a partial victory, as the jury concluded that its current smartwatch models do not infringe on Apple’s patents. Masimo praised the outcome, noting that the ruling applies only to discontinued products, which limits Apple’s scope for obtaining the desired injunction.

This case is part of a larger, ongoing intellectual property conflict between the two companies. Masimo previously won a US International Trade Commission (“ITC”) order blocking the import of Apple’s Series 9 and Ultra 2 smartwatches, citing patent infringement on Masimo’s pulse oximetry technology. Apple has since appealed the ITC ruling and modified its watch technology to resume sales.

Both companies continue to assert significant claims. Masimo accuses Apple of recruiting its employees and using proprietary pulse oximetry technology discussed in previous collaboration talks, while Apple counters that Masimo’s patent claims and lawsuits were strategically aimed at clearing a path for its own product line.

<https://www.reuters.com/legal/masimo-smartwatches-infringe-apple-patents-us-jury-says-2024-10-25/>



## ***INTELLECTUAL PROPERTY***

### **PATENT**

#### **JUMIO BOLSTERS LEADERSHIP IN IDENTITY VERIFICATION WITH OVER 300 PATENTS**

Jumio, a leader in AI-powered identity verification, has announced surpassing 300 issued patents and patent applications, strengthening its global IP portfolio across nearly 100 unique patent families. This expansion reinforces Jumio's commitment to advancing technologies that combat identity theft and online fraud, incorporating biometrics, machine learning, and liveness detection in its unified platform that supports over 5,000 ID types across 200+ countries. CEO Robert Prigge emphasised that these advancements place Jumio at the forefront of fraud detection and compliance, driven by an innovative patent program that encourages employee-driven IP contributions.

<https://www.bernama.com/en/press/news.php?id=2355237>



#### **QINGXIN CARBON UNVEILS PATENTED SOLUTION TO BOOST EFFICIENCY IN ELECTROLYTIC ALUMINUM PROCESSING**

Qingxin Carbon has been awarded a patent from the China National Intellectual Property Administration for its new "Electrolytic Aluminum Cathode Side Corner Scratching Machine." Designed to address challenges in handling cathode side corner blocks in electrolytic aluminum production, the machine replaces traditional manual methods with a streamlined sliding device that improves safety and operational efficiency. Its pressing mechanism, driven by a swing arm, secures the blocks with high precision, ensuring quality results. Qingxin's focus on innovation includes robust R&D initiatives and partnerships with academic institutions, furthering progress in the aluminum processing sector.

<https://www.alcircle.com/news/qingxin-carbon-secures-patent-for-its-electrolytic-aluminum-cathode-corner-solution-machine-112378>

## ***INTELLECTUAL PROPERTY***

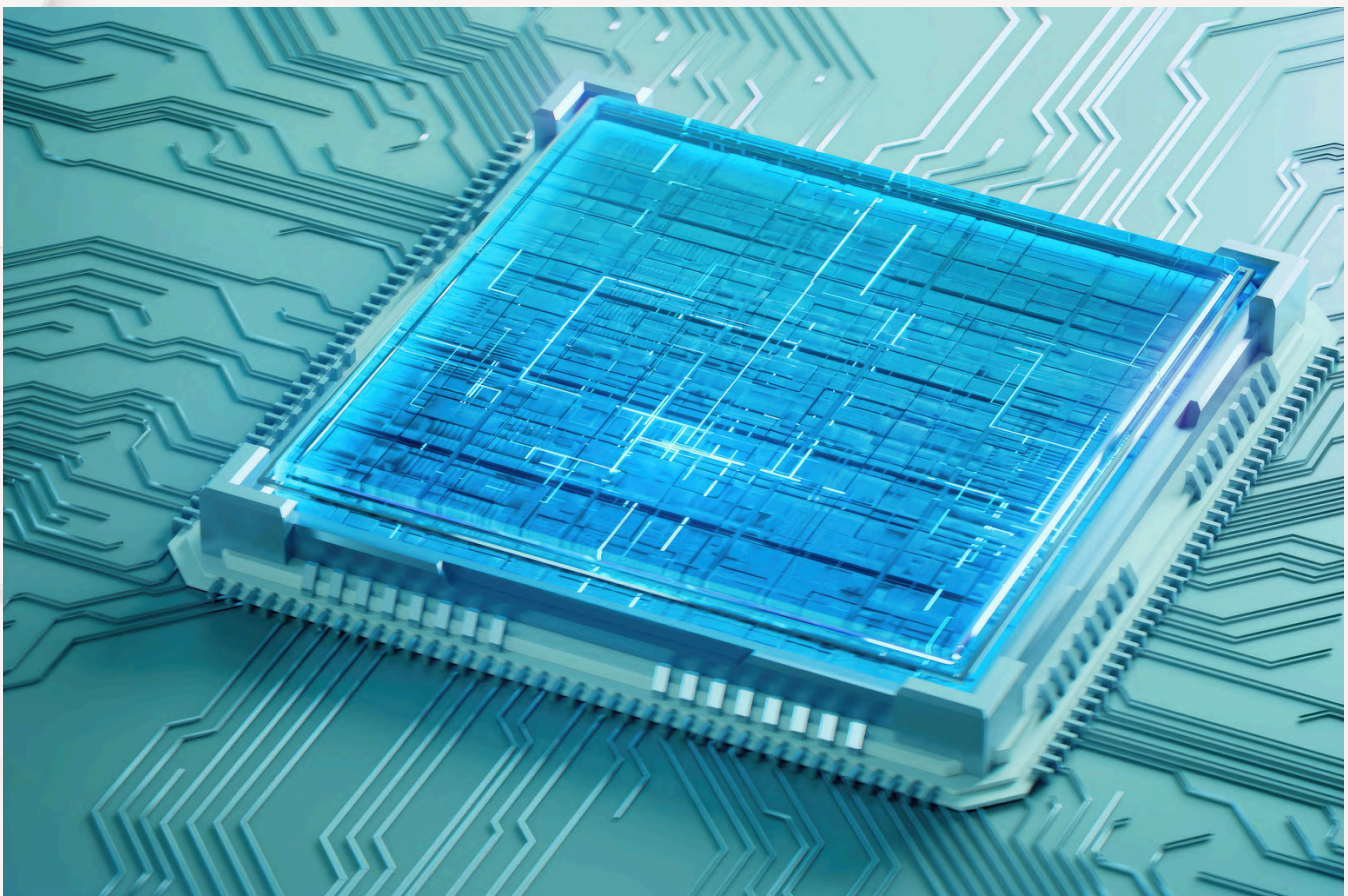
### **PATENT**

#### **CHINA'S SEMICONDUCTOR PATENTS SKYROCKET 42% AMID AI DEMAND AND US EXPORT CONTROLS**

China's semiconductor patent filings have surged by 42% from 2023 to 2024, largely fueled by US export restrictions and rapid growth in AI-driven technologies. A report by Mathys & Squire highlights that China led global patent growth, marking the sharpest increase worldwide with filings rising to 46,591. The boom reflects China's intensified focus on self-reliance and cutting-edge chip development, responding to high demand for AI accelerators and advanced processors.

Global semiconductor patent applications grew by 22%, reaching 80,892, with the US contributing a notable increase as well, albeit with a more modest 9% rise. Industry investment is pushing American semiconductor advancements forward as major players like Intel and Qualcomm expand production domestically. Despite this acceleration, Chinese firms like SMIC and Xiaomi are still reportedly behind in reaching the latest technology nodes, often remaining several years behind leading competitors like AMD and Intel. However, the increase in patent filings signals China's strong resolve to reduce dependency on imports and position itself as a rising force in the semiconductor sector.

<https://www.trendforce.com/news/2024/10/23/news-chinas-semiconductor-patents-reportedly-surge-over-40-amid-u-s-export-restrictions-and-ai-boom/>



## ***INTELLECTUAL PROPERTY***

### **COPYRIGHT**

#### **NEWS CORP TAKES LEGAL ACTION AGAINST AI STARTUP OVER ALLEGED 'CONTENT KLEPTOCRACY'**

Dow Jones & Co. and the New York Post have filed a lawsuit against Perplexity, an AI startup backed by investors like Jeff Bezos and Nvidia, alleging that the company has engaged in “massive copyright infringement.” According to the complaint filed in New York federal court, Perplexity has been unlawfully copying and repurposing News Corp’s copyrighted content on its AI-driven platform, which lets users access information without visiting original publishers’ websites—a practice News Corp CEO Robert Thomson denounced as “content kleptocracy.”

The lawsuit claims that Perplexity ignored prior attempts to discuss licensing, while News Corp has established a contrasting arrangement with OpenAI that includes licensing fees expected to exceed \$250 million over five years. News Corp’s complaint seeks an injunction to halt Perplexity’s usage of its content, along with statutory damages up to \$150,000 per infringement. The case raises critical questions about intellectual property protections as AI platforms rapidly develop, intensifying discussions around the fair use of copyrighted media in the AI landscape.

<https://variety.com/2024/biz/news/news-corp-dow-jones-ny-post-sue-perplexity-copyright-infringement-1236184900/>



## ***INTELLECTUAL PROPERTY***

### **COPYRIGHT**

#### **COPYRIGHT OFFICE GRANTS RIGHT TO REPAIR FOR ICE CREAM MACHINES, SOFTENING DMCA RESTRICTIONS**

In a recent decision, the US Copyright Office partially granted an exemption to the Digital Millennium Copyright Act (“DMCA”) that allows repair of commercial food preparation equipment, specifically including soft-serve ice cream machines. Public Knowledge and iFixit successfully advocated for the right to bypass digital locks on retail-level food prep equipment to facilitate repairs, marking a significant step forward for franchise owners and independent repair shops. Although the exemption is narrower than initially requested, advocates see this as a foundational win that could empower businesses to maintain equipment without costly reliance on manufacturer services.

Meredith Rose, Senior Policy Counsel at Public Knowledge, celebrated the decision, calling it “a victory for everyone,” as it reduces barriers to repair, especially for franchisees dealing with finicky machines like those used at McDonald’s. This decision is expected to bolster the broader right-to-repair movement, encouraging more exemptions for repair across various industries in future DMCA reviews.

<https://publicknowledge.org/public-knowledge-ifixit-free-the-mcflurry-win-copyright-office-dmca-exemption-for-ice-cream-machines/>





# INTELLECTUAL PROPERTY

## COPYRIGHT

### GERMAN COURT RULING FAVOURS AI IN IMAGE COPYRIGHT CASE, EXPANDS LEGAL GROUNDS FOR AI TRAINING

In a landmark decision, Germany's Hamburg Regional Court dismissed a copyright lawsuit against LAION, a non-profit AI organisation, brought by photographer Robert Kneschke. The case centered on LAION's use of Kneschke's images for training its LAION 5B dataset, utilised by popular AI models like Stable Diffusion. The court ruled in favor of LAION, citing Section 60(d) of Germany's copyright law, which allows exceptions for data mining for scientific research purposes—this provision stems from Article 3 of the EU Copyright Directive. The court's decision, handed down on September 27, 2023, could set a critical precedent for AI training practices in Europe.

The case has been closely observed by the creative and tech sectors, with some experts finding the ruling unexpected. Initially, it was anticipated the court would base its judgment on Section 44(b), which broadly applies to text and data mining, but the focus instead shifted to Section 60(d), applying specifically to research. Ronak Kalhor-Witzel of Norton Rose Fulbright commented that the ruling surprised many, as Section 60(d) had not been considered in early hearings.

Kneschke expressed disappointment, arguing that he had reserved rights over his images, making their use invalid under the broader Section 44(b). Although the court recognised that website terms could serve as a machine-readable opt-out, this aspect did not impact the ruling.

This decision may spark further debate around copyright law in AI contexts, especially as the EU AI Act approaches, likely intersecting with existing protections for creators. As Kneschke considers an appeal, this case could influence both copyright and AI law, shaping how creators and AI companies negotiate the use of copyrighted material for machine learning.

<https://www.globallegalpost.com/news/surprise-ruling-in-germany-as-court-sides-with-ai-outfit-in-image-copyright-spat-537116413>



## SPORTS

### CONSULTATION MEETING ON THE INDIA'S DRAFT NATIONAL SPORTS GOVERNANCE BILL 2024

The Union Minister of Youth Affairs & Sports and Labour & Employment, Dr. Mansukh Mandaviya held a stakeholder meeting in New Delhi to discuss on the Draft National Sports Governance Bill 2024 (“**Draft Bill**”). This meeting aims to gather input and establish a comprehensive framework for the Draft Bill to support the development for sports in India and welfare of athletes. The meeting was held in-person and online simultaneously, and attended by athletes, coaches, and other stakeholders.

<https://pib.gov.in/PressReleaseDetail.aspx?PRID=2067331&reg=3&lang=1>



### TRIBUNAL DELIVERED ITS VERDICT IN MANCHESTER'S CITY LEGAL SUIT AGAINST THE PREMIER LEAGUE

The tribunal delivered its verdict on Manchester City's suit against Premier League concerning the rules on commercial deals involving clubs' owners. It ruled that shareholder loans should be included within the framework of the associated party transaction (“**APT**”) rules and rejected some amendments made by the Premier League to the APT, i.e., amendments to the definition of “fair market value” (“**FMV**”) and the shifting of burden to a club to prove an FMV transaction. The tribunal also rejected Manchester City's attempts to modify the APT rules, agreeing the rules were important. The tribunal allows Manchester City to claim for declaratory relief, injunctive relief and damages on earnings lost.

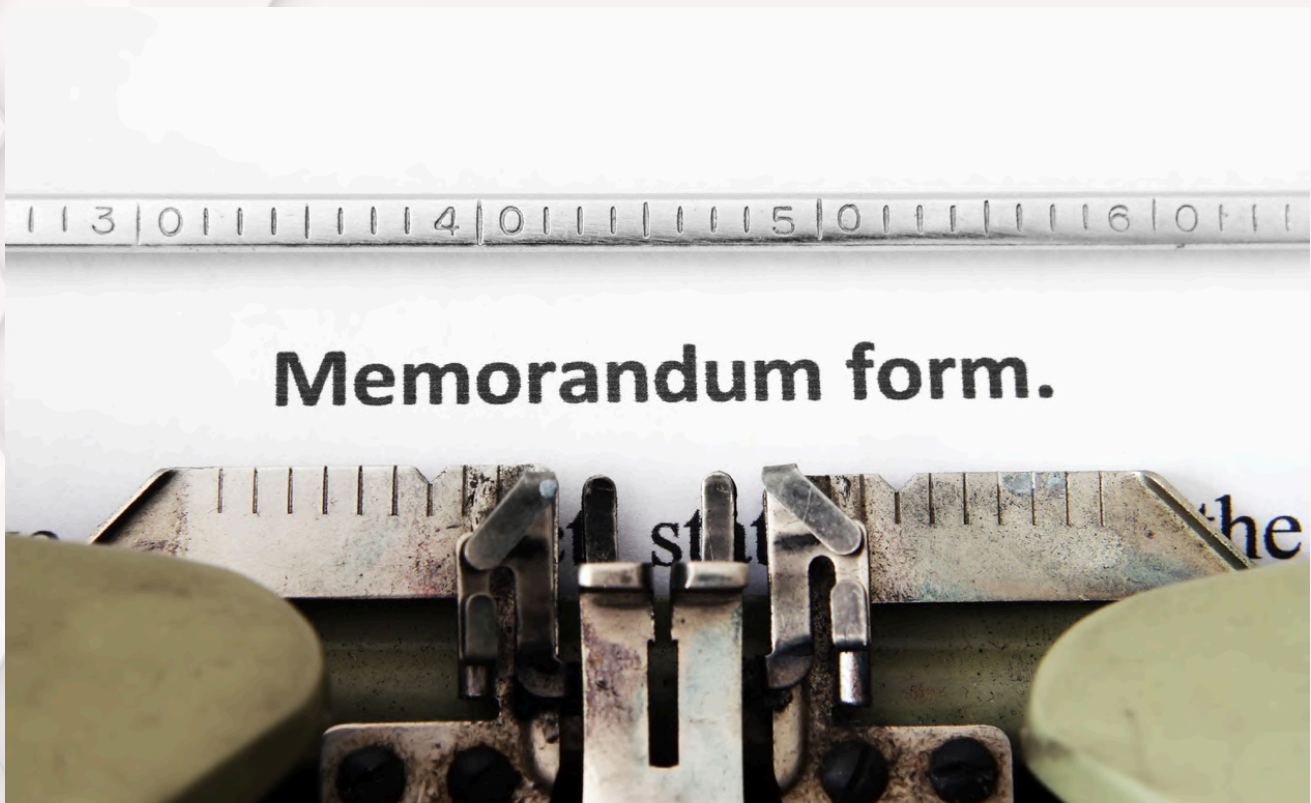
<https://www.bbc.com/sport/football/articles/c2lngl47peeo>

## ***GAMING***

### **NIGERIA'S LAGOS STATE GOVERNMENT SIGNED MOU WITH THE UK TO COMBAT ILLEGAL GAMING**

Lagos State Government signed a Memorandum of Understanding ("MoU") with the UK, where both parties will collaborate to share knowledge and expertise in gaming regulatory framework to combat illegal lottery operations. This MoU was sealed at the International Association of Gaming Regulators and International Masters of Gaming Law conference in Rome, Italy. The signing of this MoU is a significant step to sanitise the Nigerian market and marks a major milestone in Lagos State's goal of becoming Africa's gaming hub.

<https://leadership.ng/lagos-moves-to-combat-illegal-gambling-signs-mou-with-uk/>



### **MACAU PASSED A NEW ILLEGAL GAMING LAW**

The Macau Legislative Assembly ("AL") passed the new illegal gaming law on its final reading, which specifically targets at all activities related to side and parallel betting. A notable change in this new law is – it makes illegal currency exchange for gambling a crime now, regardless of whether it occurs in or out of the casinos. This new law also targets the commercial exploitation of lotteries and imposes a penalty of 2 years imprisonment on those engaged in such activity.

<https://macaudailytimes.com.mo/illegal-gaming-law-passed-on-its-final-reading.html>

## GAMING

### THAILAND FINANCE MINISTRY PUSHES THE PASSING OF ENTERTAINMENT COMPLEX ACT

Thailand Deputy Finance Minister, Julapun Amornvivat said the draft bill of this Act has gotten 82% support from the participants at public hearings. According to a study by the Fiscal Policy Office (“FPO”), the passing of this Act can improve Thailand’s economic growth by attracting tourists and creating jobs for the locals. There is also a possibility where it can attract private sector investors. The bill is expected to be submitted to the Cabinet by end of this year and pushed to Parliament for further deliberation once approved.

<https://www.nationthailand.com/news/policy/40042646>



## PREVIOUS PUBLICATIONS

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'Willing to Wound but Afraid to Strike' - Threats in Trademark Infringement Proceedings

Competing Rights to Copyright in the Virtual Environment

Spilling the Beans in Litigation

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