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**FEBRUARY 2025**

**VOL.41**

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.



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## ***INTELLECTUAL PROPERTY***

### **TRADEMARK**

#### **DEEPSEEK'S TRADEMARK TUSSELE: LEGAL CHALLENGES, AI DISRUPTION, AND DATA DISPUTES**

Chinese AI startup DeepSeek applied for a trademark with the US Patent and Trademark Office (“USPTO”), but Delson Group Inc. had already filed 36 hours earlier, claiming prior use since 2020. Led by Willie Lu, Delson has registered 28 trademarks, including those of major Chinese companies, suggesting trademark squatting. Attorney Josh Gerben warns that DeepSeek may face legal challenges, as Delson has an active AI website. This parallels OpenAI’s past trademark disputes. Meanwhile, DeepSeek’s AI model has disrupted the industry by outperforming OpenAI’s models at a lower cost, leading OpenAI to accuse it of illegally using ChatGPT data for training.

<https://itc.ua/en/news/deepseek-lost-its-trademark-in-the-us-someone-else-registered-it-36-hours-earlier/>



#### **JOSEF KLEINDIENST CHALLENGES JAMES BOND TRADEMARK, EYEING A 007 REBRAND**

Austrian businessman Josef Kleindienst is challenging the James Bond franchise’s ownership of its iconic name. He claims that certain trademarks have not been commercially utilised for over five years, which, under UK and EU law, could lead to their revocation. Kleindienst, currently developing the Heart of Europe luxury resort in Dubai, has filed “cancellation actions based on non-use” against various Bond-related trademarks. These trademarks are registered to Danjaq, the company controlling James Bond merchandising rights in partnership with Eon Productions. If successful, Kleindienst could gain commercial rights to the Bond name, potentially reshaping the 007 brand.

<https://economictimes.indiatimes.com/news/international/uk/007-under-fire-james-bond-faces-his-greatest-battle-yet-as-legal-fight-over-iconic-name-heats-up-heres-what-could-happen/articleshow/118286465.cms>

## ***INTELLECTUAL PROPERTY***

### **TRADEMARK**

#### **STANLEY BLACK & DECKER SUES PMI OVER “STANLEY” TRADEMARK MISUSE AMID REBRANDING DISPUTE**

Stanley Black & Decker has filed a lawsuit against Pacific Market International (“PMI”), the producer of popular Stanley-branded beverage containers, alleging trademark misuse. The lawsuit, submitted in Connecticut federal court, claims PMI’s use of the “Stanley” name breaches a longstanding coexistence agreement and causes consumer confusion regarding the affiliation between the two companies. Stanley Black & Decker seeks to prohibit PMI’s use of the “Stanley” name and requests monetary damages. The dispute centers on agreements from 1966 and 2012, which limited PMI’s use of “Stanley” to specific contexts. Stanley Black & Decker asserts that PMI violated these agreements by rebranding as “Stanley 1913” and using “Stanley” independently on products and in advertising. Additionally, the lawsuit cites reputational harm due to negative press about alleged safety issues with Stanley cups.

<https://www.reuters.com/legal/litigation/stanley-black-decker-sues-stanley-cup-maker-over-trademarks-2025-02-18/>



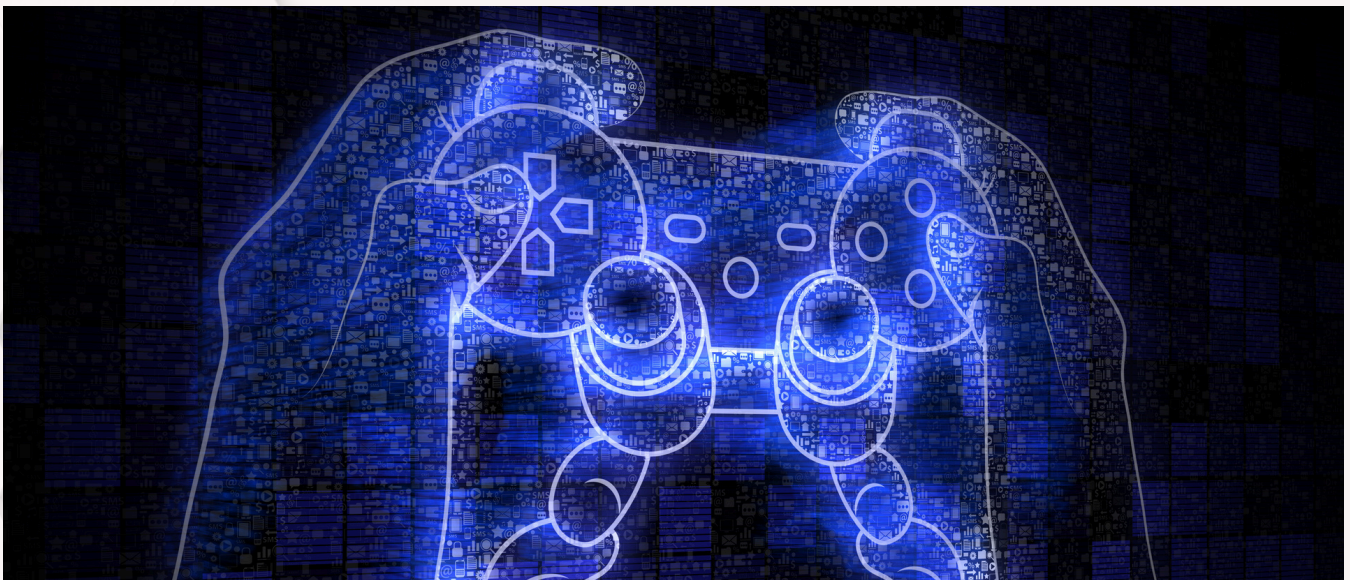
## ***INTELLECTUAL PROPERTY***

### **PATENT**

#### **FEDERAL JUDGE INVALIDATES OMNI MEDSCI PATENT, PAVING THE WAY FOR BLOOD GLUCOSE TRACKING ON APPLE WATCH**

Apple has challenged a patent owned by Omni MedSci Inc., which was hindering the release of a new Apple Watch feature that could track blood related metrics including the detection of blood glucose. The invalidation was based on the determination that all claims of US Patent No. 10,517,484 were considered obvious considering prior patents. This decision came after the Patent Trial and Appeal Board (“PTAB”) initially canceled 12 of the patent’s 23 claims in 2022. Subsequently, the US Court of Appeals for the Federal Circuit directed the PTAB to reassess the remaining claims, leading to the complete invalidation of the patent.

<https://www.patentlyapple.com/2025/02/a-federal-judge-has-invalidated-an-omni-medsci-patent-which-could-open-the-door-for-a-blood-glucose-solution-for-apple-watch.html>



#### **NINTENDO PUSHES FOR US PATENTS AGAINST PALWORLD**

Nintendo and The Pokémon Company are expanding their legal battle against Pocketpair, creators of Palworld by securing US patents related to game mechanics, potentially setting the stage for legal action in the US. The dispute began with a 2024 lawsuit in Japan, alleging Palworld infringes on patents covering creature capture and battles. In the US, Nintendo has obtained a patent for character aiming and capturing and is negotiating another for in-game riding mechanics. This is after the United States Patent and Trademark Office (“USPTO”) rejected 22 out of 23 of Nintendo’s patent claims. These efforts indicate Nintendo’s commitment to securing comprehensive patent protection, potentially laying the groundwork for future litigation in the US.

<https://www.windowscentral.com/gaming/nintendo-applying-for-anti-palworld-patents-in-the-us-they-are-fighting>

## *INTELLECTUAL PROPERTY*

### PATENT

#### **SAMSUNG FILES PATENT TO REPLACE BLUETOOTH WITH ULTRA-WIDEBAND FOR FUTURE GALAXY BUDS**

Samsung has filed a patent for earbuds using Ultra-Wideband (“UWB”) technology instead of Bluetooth for audio transmission. While Bluetooth will still be used for initial pairing, UWB will take over for audio once connected, offering lossless sound and reduced latency. UWB operates at higher frequencies (6.5-9 GHz) than Bluetooth, enabling clearer, uninterrupted audio. It also offers a greater range, up to 25 meters, compared to Bluetooth’s 10 meters, although its performance can be affected by physical barriers. If Samsung adopts UWB in future Galaxy Buds Pro models, it could significantly improve sound quality and redefine the audio experience. While UWB is still in the early stages of adoption in smartphones, its potential in audio devices is promising.

<https://info3.com/gadgets/209167/text/short/samsung-explores-ditching-bluetooth-for-uwband-in-galaxy-buds>



## INTELLECTUAL PROPERTY

### COPYRIGHT

#### FEDERAL COURT ISSUES LANDMARK DECISION ON AI COPYRIGHT INFRINGEMENT IN THOMSON REUTERS CASE

In the case of *Thomson Reuters Enterprise Centre GMBH v ROSS Intelligence Inc.*, No. 1:20-cv-613-SB (D. Del.), the Delaware Federal Court ruled in favour of Thomson Reuters in a landmark AI copyright case against ROSS Intelligence. Thomson Reuters accused ROSS of using its Westlaw headnotes which included summaries of legal principles to develop a competing AI-driven legal research tool. The Court determined that ROSS's use of these headnotes constituted direct copyright infringement and rejected ROSS's fair use defence. The ruling emphasised that ROSS's AI was not generative but instead provided existing judicial opinions, making it a potential market substitute for Westlaw.

<https://www.jw.com/news/insights-federal-court-ai-copyright-decision/>



#### GERMAN COURT RULES BIRKENSTOCKS ARE NOT COPYRIGHTABLE WORKS OF ART

Germany's Federal Court of Justice ruled that Birkenstock's sandals do not qualify as "copyrighted works of applied art", denying them copyright protection. Birkenstock brought the case in May 2023, aiming to prevent competitors like Tchibo and Bestseller from selling similar products. The Federal court held that "for copyright protection to apply, there must be such a degree of design that the product displays some individuality". Therefore, Birkenstocks sandals could not be classified as art and afforded copyright protection. Despite the ruling, Birkenstock emphasised its commitment to protecting its brand from imitators.

<https://www.theguardian.com/world/2025/feb/20/birkenstocks-are-not-works-of-art-top-german-court-rules-in-copyright-case>

## ***GAMING***

### **UK GOVERNMENT REJECTS PROPOSAL TO STRENGTHEN CONSUMER PROTECTION AGAINST DIGITAL GAME OBSOLESCENCE**

The UK government announced it would not amend existing consumer laws to address the issue of digital game obsolescence. This decision was in response to the online petition “Prohibit publishers irrevocably disabling video games they have already sold”, which called for stronger consumer protections when games become unplayable due to server shutdowns or discontinued support.

Officials stated that laws such as the Consumer Rights Act 2015 and Consumer Protection from Unfair Trading Regulations 2008, already provide adequate safeguards. While they acknowledged the challenges posed by digital content lifespan, they clarified that companies are not legally required to maintain support for older games. However, the government pledged to continue monitoring the issue and take insights from the Competition and Markets Authority into account when assessing consumer rights concerns.

<https://www.gamesindustry.biz/uk-declines-to-extend-consumer-law-to-better-protect-gamers-against-disabling-live-service-games>



### **GOOGLE ANNOUNCES UPDATES TO GAMBLING AND GAMES POLICY WITH STRICTER GUIDELINES**

Google has announced an update to its Gambling and Games advertising policy, set to take effect on 14 April 2025. The changes include stricter regulations on social casino games, which are defined as online gambling-style games with no real-money winnings. These revisions aim to provide more detailed explanations of various gambling categories and refine country-specific guidelines to enhance clarity and compliance for advertisers. A significant change includes the explicit requirement that only legal physical, real-money gambling activities or establishments can be promoted, with the addition of the term “legal” to the policy. Advertisers must obtain proper certification from Google to run gambling-related ads and ensure their campaigns target only regions where such promotions are permitted. These updates reflect Google’s commitment to responsible advertising and adherence to regional regulations.

<https://www.searchenginejournal.com/google-updates-its-gambling-games-advertising-policy/539503/>

## PREVIOUS PUBLICATIONS

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Spilling the Beans in Litigation

The Price of Artificial Intelligence

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