

INTELLECTUAL PROPERTY & INNOVATIVE TECHNOLOGY

**2 CHINESE CARMAKER FILES PATENT FOR
IN-VEHICLE TOILET**

**5 JAPANESE MEDIA RAISES
CONCERNS OVER GOOGLE AI
SEARCH**

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The IP Practice is comprised of a seasoned team of lawyers and support staff. Our services span the full breadth of IP law, encompassing both contentious and non-contentious matters, in the areas of patents and utility innovations, trademarks, passing off, copyright, franchising, industrial design, trade secrets and breach of confidence. We also advise on portfolio and asset management, brand protection strategies, anti-counterfeiting initiatives, naming rights, licensing and sponsorship of music and sports ventures.



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INTELLECTUAL PROPERTY & INNOVATIVE TECHNOLOGY

PATENT

CHINA EXCEEDS 5 MILLION VALID INVENTION PATENTS

China has become the first country to exceed 5 million valid invention patents, according to the CNIPA, highlighting its continued growth in intellectual property development. Officials reported strong activity across multiple IP categories in 2025, including nearly one million invention patents granted, alongside significant numbers of trademark registrations and copyright filings. The country has also secured key patents in emerging technologies such as quantum technology, biomanufacturing, brain-computer interfaces and 6G communications.

<https://www.straitstimes.com/asia/east-asia/china-surpasses-5-million-valid-invention-patents>



CUREVAC SUES MODERNA OVER MRNA VACCINE PATENTS

German biotech company CureVac has filed a patent infringement lawsuit against Moderna in U.S. federal court, alleging that Moderna's COVID-19 vaccine Spikevax uses its patented messenger RNA ("mRNA") technology. CureVac claims Moderna copied its methods for stabilising mRNA and is seeking royalties from vaccine sales. The case forms part of a broader wave of litigation over mRNA technologies, including related actions involving BioNTech and other pharmaceutical companies.

<https://www.reuters.com/legal/litigation/curevac-sues-moderna-patent-infringement-over-covid-19-vaccines-2026-04-24/>

INTELLECTUAL PROPERTY & INNOVATIVE TECHNOLOGY

PATENT

CHINESE CARMAKER FILES PATENT FOR IN-VEHICLE TOILET

Chinese automaker Seres has been granted a patent for an “in-vehicle toilet” designed to slide out from beneath a passenger seat, aimed at improving convenience during long journeys and camping use. The filing describes features such as odour control systems and waste storage, although the company has not confirmed any plans for commercial deployment. The development reflects intensifying competition in China’s electric vehicle market, where manufacturers are introducing increasingly unconventional features to differentiate their offerings.

<https://www.bbc.com/news/articles/c1l92yv4mydo>



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TRADEMARK

COURT CLARIFIES WHEN HISTORICAL DATES IN TRADEMARKS MAY BE MISLEADING

The Court of Justice of the European Union (“CJEU”) clarified that a trademark may be considered deceptive if it falsely suggests long-standing heritage that influences consumer perception of the goods. In *Fauré Le Page v Goyard ST-Honoré*, the Court held that deception must relate to the characteristics of the goods or services, not merely the business itself. However, in the luxury sector, factors such as heritage, prestige and know-how may form part of perceived quality. Accordingly, a misleading indication of historical continuity may render a mark deceptive where it creates a false impression of quality or prestige capable of influencing consumer decisions, with national courts tasked to assess this on the facts.

<https://iclg.com/news/23704-cjeu-clarifies-when-historical-dates-in-trade-marks-may-mislead-consumers>



JAPANESE COURT AWARDS DAMAGES IN ZOOM TRADEMARK DISPUTE

A Japanese court has ordered Zoom Communications Inc. to pay approximately 160 million yen (USD 1 million) to Zoom Corp. for trademark infringement due to similarities between their logos, with further damages awarded against its Japanese distributor, NEC Networks & System Integration Corp. The Tokyo District Court found that the similarity created a likelihood of confusion, particularly before mid-2020. However, it declined to grant an injunction, noting that users became able to distinguish between the companies following the surge in demand during the COVID-19 pandemic. Damages were limited to a reasonable licensing fee up to 30 June 2020.

<https://www.bernama.com/en/world/news.php?id=2549139>

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TRADEMARK

CHINA TIGHTENS ENFORCEMENT AGAINST DECEPTIVE AND MISLEADING TRADEMARKS

China has stepped up enforcement against deceptive trademark practices, with the China National Intellectual Property Administration (“CNIPA”) rejecting over 1.27 million applications and invalidating more than 3,300 trademarks in the past 3 years. The regulator highlighted concerns over so-called “*edge-ball trademarks*”, where applicants use registered marks to make misleading claims about product quality, origin or features. In response, CNIPA has introduced stricter examination guidelines, enhanced monitoring mechanisms and accelerated invalidation procedures, alongside ongoing legislative reforms to China’s Trademark Law aimed at imposing tougher penalties for misuse.

<https://news.cgtn.com/news/2026-04-24/China-cracks-down-on-deceptive-misleading-trademarks-1MAW3IA006I/index.html>



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JAPAN CONSIDERS PENALTIES FOR NON-COMPLIANT AI OPERATORS

Japan's Liberal Democratic Party is considering introducing penalties for artificial intelligence ("AI") operators who fail to comply with government information requests under its AI regulatory framework. A draft proposal by an internal subcommittee highlights growing concerns over copyright infringement and deepfakes from generative AI, noting that the current law lacks sufficient enforcement mechanisms. The proposals call for stricter measures, including penalties for non-compliance, as well as enhanced government powers to investigate and require reports from operators, particularly those generating large volumes of infringing content such as AI-generated material resembling anime and manga works. The draft also emphasises the need for closer regulatory oversight, alignment with international approaches such as those in the EU, and stronger domestic AI capabilities, including support for local development of AI technologies and infrastructure.

<https://asianews.network/japans-ruling-party-proposes-penalties-for-malicious-ai-operators/>



JAPANESE MEDIA RAISES CONCERNS OVER GOOGLE AI SEARCH

The Japan Newspaper Publishers and Editors Association has raised concerns that AI-powered search features by Google LLC, particularly its "AI Overviews" may increase the risk of copyright infringement and unfairly benefit from journalistic content. The association highlighted that news publishers are effectively unable to opt out of their content being used for AI-generated summaries without risking reduced visibility in standard search results, as both systems rely on the same web crawlers. It further argued that this practice may amount to an abuse of a superior bargaining position under competition law and contributes to the growing "zero-click" problem, where users rely on AI summaries instead of visiting original sources. The association has called for regulatory intervention and a framework requiring consent from rights holders, noting similar developments in other jurisdictions, while discussions with Google to date have not resulted in concrete changes.

<https://www.asahi.com/ajw/articles/16514085>

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ASIA PACIFIC DIALOGUE HIGHLIGHTS NEED FOR STRONGER ANTI-PIRACY MEASURES

The Motion Picture Association (“MPA”) Asia Pacific convened the Copyright Enforcement Dialogue: Taipei 2026, bringing together policymakers, enforcement authorities and industry stakeholders to coordinated efforts against digital piracy. The dialogue, which is held ahead of the World Intellectual Property Day, emphasised the importance of cross-border collaboration, robust enforcement frameworks and public-private partnerships in addressing evolving piracy threats, including illegal streaming devices. Participants also highlighted the need for information-sharing, stronger regulatory tools and international cooperation to combat increasingly sophisticated infringement activities, with the event reinforcing a collective commitment to protecting the creative economy across the region.

<https://www.taiwannews.com.tw/news/6346246>



PREVIOUS PUBLICATIONS

Of Source Codes and Functions - Balancing Copyright Protection Against Monopolisation

'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

The Price of Artificial Intelligence

State of Mind and the Plea of Innocence

False Sense of Security

Privileges of 'Well-Known' Trademarks

Celebrity's Name Taken in Vain

Navigating the E-Money Landscape

E-Commerce — Drive Towards Improved Postal Services

Clipping the Wings of Social Media Influencers

10 Key Amendments to Patent Law

Copyright (Amendment) Act 2022

Goodwill Unshaken by Negative Publicity

Employers' Liability for Copyright Infringement

Court of Appeal Reaffirms Test for Breach of Confidence

Trademark Mischief-Makers

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