



# INSIGNIA

## INTELLECTUAL PROPERTY RIGHTS

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**MAHESHWARI AND CO.** is a full service Law Firm that represents its clients in a number of complex and high value transactions. The Firm has a special expertise in Intellectual Property Laws covering trademarks, copyright, design, patent and GI filing, prosecution, enforcement and litigation.

The firm's IP practice offers comprehensive, end-to-end legal solutions that span the entire business cycle of an IP — from the earliest stages of ideation and development, through regulatory compliance and market entry, to the protection, management, and enforcement of IP rights.

MAHESHWARI & CO.'s clientele extends across a wide spectrum of industries, including Media, Entertainment & Gaming, Pharmaceuticals & Life Sciences, Software & Technology, Telecommunications, FMCG, and several other innovation-driven sectors, enabling the firm to combine deep sectoral expertise with robust legal strategies tailored to each client's needs



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## Delhi High Court Reaffirm “Mandatory Inventive Step Analysis”

In **Emitec Gesellschaft für Emissionstechnologie GmbH v. Assistant Controller of Patents & Designs**, the Delhi High Court set aside the Patent Office’s refusal of a patent application filed by Emitec Gesellschaft für Emissionstechnologie GmbH concerning an automotive emission control tank assembly. The Court found that the Controller’s analysis of “inventive step” under Section 2(1)(ja) of the Patents Act, 1970 was legally unsustainable. It held that a proper inventive step assessment requires a structured approach, including identification of the person skilled in the art, determination of the inventive concept, and a reasoned comparison with prior art.

The refusal order was criticised for lacking this analytical framework and for failing to clearly demonstrate how the claimed invention was obvious. Emphasising the need for reasoned and transparent decision-making, the Court remanded the matter for fresh consideration in accordance with established principles governing inventive step analysis

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## Delhi High Court Reinforces Digital Sports Enforcement

In **JioStar India Pvt. Ltd. v. Crichdbest.com & Ors.**, the Delhi High Court granted ex-parte interim relief to JioStar India Pvt. Ltd., reinforcing enforcement against digital piracy of live cricket broadcasts. The Court recognised JioStar’s exclusive broadcast reproduction rights in ICC events under the Copyright Act, 1957 and found overwhelming evidence that rogue apps and websites, including Crichdbest.com, were unlawfully streaming live matches, often resurfacing via mirror or variant domains.

Justice Jyoti Singh granted a dynamic blocking order, restraining the named infringing platforms from streaming or communicating JioStar’s content, and directed domain registrars, ISPs, the Department of Telecommunications, and MeitY to block access to these locations. Importantly, the Court allowed JioStar to file affidavits identifying additional infringing URLs for prompt real-time blocking without fresh hearings. The judgment emphasises proactive, technology-responsive enforcement to safeguard exclusive broadcast rights and revenue streams in the digital age

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## BLOGS

### Freedom-to-Operate (FTO) Searches How Established Companies Avoid Costly Patent Infringement



The blog explains the concept and importance of conducting a Freedom-to-Operate (FTO) search in India before launching a product or entering the market. It clarifies that an FTO search differs from a patentability assessment, as it focuses on identifying existing, enforceable patents that may pose infringement risks.

The article outlines the key steps involved, including defining the product scope, reviewing granted patent claims, verifying legal status, and analysing potential claim overlap. It emphasises the commercial significance of FTO opinions in mitigating litigation risks, avoiding injunctions, and ensuring business continuity. The blog also highlights how professional patent analysis and strategic guidance can support informed decision-making and smoother market entry in India.

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### Challenges Posed by Artificial Intelligence to Traditional Legal Concepts of Agency and Causation



The blog examines AI liability in India, focusing on how established legal principles of agency and causation apply to harms caused by artificial intelligence systems. It explains that in the absence of a dedicated AI liability regime, traditional doctrines will guide assessments of responsibility where AI actions cause loss or injury.

The article outlines the role of agency principles in attributing AI outcomes to human or organisational actors who deploy, control, or supervise the technology. It also discusses the challenge of causation, emphasising the need to trace harm through potentially opaque AI decision-making processes to connect specific acts with tangible injury. Finally, the blog highlights the evolving Indian regulatory context and the importance of proactive risk management to address AI-related legal exposure.

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## FIRM BULLETIN



Akshi Seem and Ketan Joshi, Associate Partners at Maheshwari & Co., attended the India-AI Impact Summit 2026 in their capacity as members of the IPR Committee of the Federation of Indian Chambers of Commerce & Industry (FICCI). The Committee was invited to curate a session titled **“AI & IP: Building an Equitable Innovation Ecosystem.”**

The session convened diverse perspectives from policy, law, and technology, with the objective of fostering international collaboration and developing benchmarks for ethical, inclusive, and innovation-driven AI-IP frameworks. A distinguished panel comprising representatives from government, industry, and the intellectual property fraternity shared insights on emerging regulatory challenges, ownership paradigms, and the future of AI-enabled innovation.



Akshi Seem, Associate Partner and Jyotsna Chaturvedi, Corporate Head at Maheshwari & Co., attended The Grand Masters 2026 summit series organised by Lex Witness. The event is a prestigious, pan-India legal leadership forum that brings together senior corporate counsel, legal experts, and industry decision-makers to deliberate on evolving best practices and strategic priorities in law and governance.

The summit featured high-impact sessions on boardroom leadership, regulatory developments, intellectual property and innovation, and the changing landscape of dispute resolution. Leaders from prominent corporations and legal departments shared practical insights on risk management, compliance frameworks, technology integration in legal operations, and the expanding role of in-house counsel as strategic business partners.

## FIRM BULLETIN

### Strategic Bilateral Meeting on Green Hydrogen & Alternative Energy Collaboration



Mr. Vipul Maheshwari, Managing Partner, Ms. Jyotsna Chaturvedi, Head – Corporate Practice, Mr. Akhand Chauhan, Partner, and Ms. Akshi Seem, Associate Partner, had the pleasure of meeting our German partner, Mr. Markus Hoffmann-von Wolffersdorff, along with Prof. (Dr.) Chitra Rajagopal, Advisor – Process Safety & Risk Management and Principal Scientific Adviser Fellow at the Office of the Principal Scientific Adviser to the Government of India, former Director General at the Defence Research and Development Organisation (DRDO), formerly associated with the Indian Institute of Technology (IIT), to discuss bilateral collaboration efforts in the field of green hydrogen and alternative energy.



### Strategic Bilateral Meeting on Green Hydrogen & Alternative Energy Collaboration



Ms. Akshi Seem, Associate Partner, conducted an insightful knowledge-sharing session on the topic “Exploring the legal issues surrounding companies bidding on a competitor’s trademark as a search engine keyword (Google Ads) and whether it constitutes trademark infringement”. With active participation from interns, the discussion was engaging, practical, and highly informative, offering valuable perspectives on fundamentals of trademark law, categories of trademarks, and the evolving legal position on keyword advertising and Google AdWords, supported by relevant jurisprudence and case law across different jurisdictions.

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MAHESHWARI & CO. has once again earned standout recognition in the Legal 500 Asia Pacific 2026 rankings, reaffirming its position as a trusted and leading law firm in the region.

The firm's expertise across Commercial, Corporate & M&A, Intellectual Property Rights, Private Client, Banking, and Finance has been acknowledged, reflecting the confidence clients continue to place in its services. This achievement underscores the firm's commitment to excellence, innovation, and client-focused solutions, as well as the collective dedication and hard work of its talented legal professionals who consistently deliver strategic and high-quality advice across diverse sectors.

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