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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 Declines Interim Injunction on Jurisdiction, Acquiescence and Dual Registration

In ITC Limited & Anr. v. Adyar Gate Hotels Limited, the Delhi High Court dismissed ITC's application for an interim injunction against Adyar Gate's use of the "DAKSHIN" trademark, finding that the court lacked territorial jurisdiction and that ITC had not made out a prima facie case for relief.

The court held that mere online visibility of a physical restaurant does not establish jurisdiction in Delhi, and that long, uninterrupted use of the mark by Adyar Gate with ITC's knowledge constituted acquiescence.

Both parties held concurrent trademark registrations, and in such cases infringement actions are barred without first challenging validity. The Division Bench upheld this decision, allowing Adyar Gate to continue using the mark at its Chennai restaurant..

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Reaffirming Territoriality & Limits of Trans-Border Trademark Claims

The Delhi High Court, in Sumit Vijay & Anr. v. Major League Baseball Properties Inc., reaffirmed the territorial nature of Indian trademark law, holding that a foreign brand's global reputation alone cannot justify cancelling a domestic trademark without clear evidence of goodwill in India.

MLB's claim to "trans-border reputation" for its Toronto Blue Jays mark failed because it had no valid Indian registration or proven reputation in India when the Indian party's "BLUE-JAY" mark was filed.

The court clarified that mere internet accessibility, foreign media coverage, or international fame does not equate to use or reputation in India. It also held bad faith cannot be presumed without intent to exploit existing goodwill. The Indian "BLUE-JAY" trademark was restored.

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BLOGS

Intellectual Property Rights in the Renewable Energy Sector

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Intellectual Property Rights In
The Renewable Energy Sector



The blog outlines the significance of intellectual property in the renewable energy sector, explaining how legal protection encourages innovation, collaboration, and commercialisation of green technologies. It defines “Green IPR” and details key categories including green patents, trademarks, designs, and trade secrets.

The article also explains the importance of identifying and safeguarding IP through confidentiality measures, pre-filing searches, and timely registration. It highlights challenges in collaborations around background and foreground IP ownership and emphasizes clear contractual rights to avoid disputes. Finally, it discusses how Maheshwari & Co. can assist with comprehensive IP protection strategies

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Role of Intellectual Property Rights in the Sports Sector

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Intellectual Property Rights
in the Sports Sector



The article explains how intellectual property rights (IPR) form the backbone of the modern sports commercial ecosystem by protecting identity, content, and access. It details key IP assets in sports, including trademarks for team names and logos, copyrights for broadcast and event content, patents for innovative equipment, and designs for product aesthetics.

The piece highlights protection of athlete identity against unauthorized commercial use and the importance of licensing and franchising agreements. Effective IP management helps secure revenue, guard reputational value, combat piracy and counterfeiting, and enable stakeholders to capitalize on branding, technology, and media opportunities.

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FIRM BULLETIN



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**LEADING FIRM
IN DELHI, NCR**



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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FIRM BULLETIN



Akshi Seem and Ketan Joshi, Associate Partners at Maheshwari & Co., attended the high-level seminar “Who Owns the Future of Entertainment? India, AI, and the Next Global Shift,” hosted by the Federation of Indian Chambers of Commerce and Industry (FICCI) and the Motion Picture Association (MPA) in New Delhi.

The event featured insightful and meaningful discussions on the evolving intersection of artificial intelligence and the entertainment industry, making it a highly informative and engaging forum for stakeholders across sectors.



Ms. Akshi Seem, Associate Partner, attended the Stakeholder Consultation Meeting on “Compliance Bottlenecks – Manufacturing & Industry Theme (DPIIT & MSME),” where she participated in and facilitated discussions between FICCI, industry stakeholders, and NITI Aayog on the major compliance challenges faced by businesses under the Acts administered by the Department for Promotion of Industry and Internal Trade (DPIIT) and the Ministry of Micro, Small and Medium Enterprises (MSME).

FIRM BULLETIN



Ms. Akshi Seem, Associate Partner, attended the International Trademark Association (INTA) 2026 Pre-Annual Meeting Reception, hosted by INTA, in collaboration with Amazon. The evening brought together members of the legal and brand ecosystem for focused discussions on sports, brands, and intellectual property (IP).



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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