



# 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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## JUDGEMENTS

### **Delhi High Court Reinforces Celebrity Rights in AI Misuse: Sonakshi Sinha v. Character Technologies Inc & Ors**

The article examines a significant Delhi High Court ruling in *Sonakshi Sinha v. Character Technologies Inc & Ors*, which addresses the misuse of celebrity personality rights through artificial intelligence. It highlights how AI tools—such as chatbots and deepfake technologies—were allegedly used to replicate Sonakshi Sinha’s identity without consent, generating misleading and potentially harmful content for commercial purposes.

The Court recognised that elements like a person’s name, image, voice, and likeness carry both reputational and economic value, deserving legal protection. Observing a prima facie case of infringement and the likelihood of irreparable harm, it granted an interim injunction restraining unauthorised use. The article underscores that while India lacks a standalone statute on personality rights, courts are actively shaping protections, especially in response to emerging AI-driven risks and digital exploitation.

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### **Discussing “USE” of Trademark : Century 21 Real Estates LLC v. Century 21 Town Planners Pvt. Ltd. & Anr.**

The article discusses the decision in *Century 21 Real Estate LLC v. Century 21 Town Planners Pvt. Ltd. & Anr.*, where the Bombay High Court examined trademark rights in the real estate sector. The dispute centred on the defendant’s registration and use of “C21” and “Century 21,” which the plaintiff—a global real estate franchisor—claimed as its well-known marks. The Court found that the plaintiff had established extensive global and Indian goodwill through long-standing use, registrations, and franchise operations. In contrast, the defendant failed to prove bona fide adoption or prior use, and its conduct suggested deliberate imitation.

The Court emphasised that dishonest adoption cannot be legitimised by subsequent use and that prior user rights outweigh later registrations. It ultimately ordered rectification of the trademark register, reinforcing protection for well-known marks and discouraging deceptive branding practices in competitive markets.

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## INSIGHTS

### Challenges in Protecting IP in Social Media Ecosystems - The Role of Platforms in Infringement

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Challenges in Protecting IP in Social Media Ecosystems and the Role of Platforms in Infringement



The article explains how social media in India has created both opportunities and challenges for intellectual property (IP) protection. While creators can reach global audiences, their content is often reposted, remixed, and monetised without consent shortly after publication.

It article outlines the legal framework, noting that the Information Technology Act, 2000 provides intermediaries conditional safe harbour if they act promptly on notice of infringement. Courts emphasise notice-based takedowns rather than proactive monitoring. It highlights recent cases and platform tools like Content ID, stressing a balanced approach between enforcement and free speech. It concludes that effective IP protection requires combining platform tools, legal notices, and targeted litigation.

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### Standard Essential Patents (SEPs) & 5G/IoT

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Standard Essential Patents (SEPs) & 5G/IoT



The article explains the growing importance of Standard Essential Patents (SEPs) and FRAND (Fair, Reasonable, and Non-Discriminatory) licensing in India's 5G and IoT ecosystem. SEPs are patents essential to implementing technical standards, requiring mandatory licensing on fair terms.

It highlights key Indian cases, especially involving Ericsson and InterDigital, where courts granted injunctions, imposed royalty deposits, and emphasised good-faith negotiations. The piece also discusses how the Delhi High Court has also outlined conduct expectations for licensors and implementers. The article notes ongoing tensions between patent rights and competition law, with India lacking a fixed FRAND formula. It concludes that businesses must proactively manage SEP risks and licensing strategies in an evolving legal landscape.

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## FIRM BULLETIN



### Regional Seminar on Anti-Counterfeiting Policy and Practice in India & South Asia

Ms. Akshi Seem, Associate Partner, attended the INTA Regional Seminar on **Anti-Counterfeiting Policy and Practice in India and South Asia** held on March 11, 2026, in New Delhi. The evening brought together members of the legal and brand ecosystem for focused discussions on counterfeiting as a public interest issue; and the frameworks and regional cooperation required to tackle it.



### WORLD IP DAY 2026

### **IP and Sports: Ready, Set, Innovate!**

Ms. Akshi Seem and Mr. Ketan Joshi, Associate Partners, attended the World IP Day 2026 celebration, jointly organised by FICCI and DPIIT, Ministry of Commerce & Industry, Government of India, around the theme **“IP and Sports: Ready, Set, Innovate”**. The event was packed with lively discussions, global perspectives, and real-world insights across IP, sports governance, media, innovation, and technology; bringing together policymakers, international IP offices, industry leaders, sports administrators, and legal experts under one roof.



## FIRM BULLETIN



Ms. Akshi Seem and Mr. Ketan Joshi, Associate Partners, attended the CII World Innovation, Design & Intellectual Property Conference 2026 on “**Design & IP: Powering Innovation and Economic Growth**”. The event featured insightful and meaningful discussions on the evolving intersection of Monetization, Licensing and Valuation of Design IP in India.



## THANK YOU FOR READING !

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