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# PIC Newsletter

Quarterly newsletter of Patent Information Centre-Kerala, KSCSTE

## India sees huge surge in Intellectual Property Rights applications

India has witnessed a huge surge in the applications for intellectual property rights and their subsequent approvals in the last five years. According to statistics from Department of Industrial Policy and Promotion (DIPP), trademarks, copyrights and patent registrations have seen growth of 236 per cent, 233 per cent and 41 per cent respectively since 2016. In the year 2017-18 (data available till 31st Dec 2017) applications for 35,511 patents, 8,521 designs, 1,95,705 trade marks and 18,584 copyrights were filed with the IP offices out of which 8,940 patents, 7,406 designs, 2,18,383 trademarks (includes previous year's pending applications) and 15,017 copyrights were granted registration.

www.businesstoday.in, July 09, 2018

## Similar trademarks for different items not breach of law: SC

In a landmark decision in the field of trademarks, the Supreme Court ruled that it was no infringement of law if two distinctly different products were marketed by two different companies with "deceptively similar" trademarks.

A decade-old trademark infringement case between Karnataka Cooperative Milk Producers Association, which has been marketing milk and milk products under the trademark 'Nandini' since 1985, and a group adopting the name 'Nandhini' for its restaurant and food products business in 1989, continued through the Registrar of Trademarks, Intellectual Property Appellate Board and Karnataka high court.

With the board and the HC restraining the restaurant chain from using the 'Nandhini' trademark, the battle shifted to the SC in 2015. A bench of Justices A. K. Sikri and Ashok Bhushan distinguished the products for which the deceptively similar trademarks were used. While 'Nandini' was for milk, milk products, cattle feed and other allied commodities, the 'Nandhini' trademark was for meat, fish, poultry, meat extracts, preserves, dried and cooked fruits and vegetables, jellies, jams, eggs, milk and milk products, edible oils and fats, salad dressings etc. The court said, "Nandini/Nandhini is a generic name, representing a goddess and a cow in Hindu mythology, and it is not an invented or coined word by anyone to the dispute."

www.timesofindia.indiatimes.com, July 27, 2018

## India unveils geographical indication logo, tagline

Union Industry Minister Suresh Prabhu unveiled a peppy tagline and a tricolour logo for geographical indication (GI) certified products.

"Invaluable Treasures of Incredible India" is the tagline, printed below a GI logo in tricolour. Akancha Tripathi won the tagline contest, Adri Chatterjee won the logo competition. The Department of Industrial Policy and Promotion had received 918 for the tagline contest. A total of 383 people took part in the logo contest.

www.timesofindia.indiatimes.com, August 01, 2018

## Delhi HC says no Nasha for Fever FM over trademark dispute with Radio Mirchi

A trademark dispute before the Delhi High Court has seen to it that HT Media owned Fever FM ceases to use the word "Nasha", in relation to their radio service "Radio Nasha". Justice R. S. Endlaw allowed a prayer for an interim injunction against HT Media, brought by the Entertainment Network [India] Limited (ENIL), which owns Radio Mirchi.

In 2016, rival HT Media announced plans to launch another radio channel under the name of "Radio Nasha". To this end, they also applied for trademark registration and applied for approval before the Ministry of Information and Broadcasting. Even as ENIL sent representations objecting to the same, HT Media publicly announced the launch of Radio Nasha through several newspapers on March 9, 2016. The following day, ENIL filed a suit against the same in the Delhi High Court, contesting HT Media's adoption of the name "Nasha" as being identical/ deceptively similar to ENIL's trademark. The Court found that the use of the word "Nasha" (being the dominant part of ENIL's trademark) by itself admitted trade rival is likely to divert unwary consumers.

www.barandbench.com, July 14, 2018

## Samsung Patents New Face, Iris Recognition Biometric Camera; May Take on Apple's Face ID

Samsung may soon replace its iris scanning technology with a new biometric camera, recently granted patent is an indication. 3D facial recognition technology is one of the safest authentications used to unlock smart phones, but Samsung's handsets still do not have it. Apple had Face ID on its iPhone X for some time now, and as per a new report, Samsung is planning to have something similar soon.

Samsung had filed a patent in 2014 covering 3D sensing for facial recognition and it has now been granted. Samsung is working on a smart phone feature that is similar to Apple's Face ID, but was patented before the latter's launch. According to the report, the biometric camera integrated into a mobile device will feature iris recognition that will be used to scan a user's iris via the front-facing camera. The patent document reportedly reveals that the biometric camera system includes a NIR (near infrared) light source on the mobile device when capturing an image to address ambient light challenges.

The new biometric camera could also perform functions including "proximity sensing, night-vision camera, 3D time-of-flight sensor, eye position and gaze tracking camera, and structured light for 3D sensing."

Apart from mobile handsets, the biometric technology would also be used for televisions, notebooks or desktop computers, according to the patent.

www.gadgets.ndtv.com, July 09, 2018

## Apple Asked to Pay $145 Million in Damages to Canada's WiLan

A federal jury in California has awarded Canadian patent licensing company WiLan $145.1 million (roughly Rs. 1,000 crores) in damages against Apple for patent infringement. The jury in San Diego determined that versions of Apple's iPhone infringed two WiLan patents relating to wireless communications technology, WiLan, a unit of Quarter hill, said in a statement.

Apple confirmed it plans to appeal. The company earlier rejected claims of infringement in pre-trial filings. In 2013, a US jury ruled in favour of Apple in a separate litigation in which WiLan had sought $248 million (roughly Rs. 1,700 crores) in damages.

www.gadgets.ndtv.com, August 02, 2018

## Facebook Accuses BlackBerry of Stealing Voice-Messaging Tech

Facebook is suing BlackBerry for patent infringement, escalating the legal battle between the two companies over protected technology.

In a complaint filed in San Francisco federal court, Facebook accused BlackBerry of stealing its voice messaging technology, among other patented processes. Facebook is seeking unspecified damages for infringement of six patents. In addition to the voice-messaging patent, Facebook cites infringement of patented technology that improves how a mobile device delivers graphics, video and audio and another that centralises tracking and analysis of GPS data.

In March, BlackBerry sued Facebook in federal court in Los Angeles, accusing the social media giant of infringing on its mobile messaging patents. BlackBerry claimed Facebook made unauthorised use of its technology in its own instant messenger service, Facebook Messenger, WhatsApp Messenger and Instagram.

www.gadgets.ndtv.com, September 06, 2018

## Patent infringement complaint filed by Fiat in US: M&M

Mahindra & Mahindra (M&M) today said a patent violation complaint has been filed against the homegrown utility vehicles major by Fiat Chrysler Automobile US, LLC, at US-based International Trade Commission (ITC). The complaint alleges that certain design features of the details of Mahindra ROXOR infringe the intellectual property rights of Fiat's Jeep design as it was modeled after the original Willys Jeep, M&M said in a regulatory filing. In response of the complaint, M&M and its subsidiary Mahindra Automotive North America (MANA) have filed a public interest statement with the ITC. "The company and MANA have commenced a proceeding in the Federal District Court at Michigan to enforce the Grill Design Agreement that the company had executed with Fiat in 2009 and to seek an injunction against Fiat from proceeding with the ITC complaint that has been filed by it," M&M said.

Fiat is seeking an order for permanently restraining the company from exporting, and compensation and penalty; MANA from importing, any parts or components which are infringing upon Fiat's intellectual property rights in to the US, it added.

www.economictimes.indiatimes.com, August 29, 2018



## FROM THE JOURNAL OF 'TRADITIONAL AND FOLK PRACTICES' JOINTLY PUBLISHED BY KSCSTE AND JNTBGRI

*(Volume: 6 Number: 01 June 2018. www.jtfp.jntbgri.res.in)*

**'Stochastic stress and survivability of Garciniaimberti Bourd. (Clusiaceae) an endangered tree of the Western Ghats, India'**

Anto M, Angala M and Anilkumar C

Garciniaimberti Bourd. is an endangered tree endemic to the southern Western Ghats. Their populations are highly distracted due to habitat degradation, slow growth and low seedling recruitment. In-situ studies at the Agasthyamala Biosphere Reserve revealed many male and female trees distracted by various stochastic effects like unusual heavy rain lightning etc. Recently many stands were felled by the unprecedented Ochki cyclone during the month of December 2017 added more tree toiling and strong wind and rain were also resulted in extensive soil erosion, seedling destruction and canopy gap formation. Nevertheless, studies on conservation aspects of G. imberti showed certain ecological adaptations for ensuring survivabilit.

**'Ethnomedicinal uses of plants by the Lodhas tribal group of West Bengal, India'**

Sagari Chaudhury, Harish Singh and Chowdhury Habibur Rahaman

Lodhas of West Bengal utilize a diversified phyto-resources including forest flora for their survival. The ethnobotanical survey was undertaken in the selected Lodhapopulated villages of six districts of West Bengal, India during 2014-2017 with the objectives of documentation of the phyto-diversity used by the Lodhas and making an inventory to enrich the ethnobotanical data base of Lodha tribe, West Bengal.

In this study, a total of 250 vascular plant species belonging to 83 families along with 728 ethnobotanical uses which belong to the 12 numbers of use categories have been documented. Highest number of species

utilized by the Lodhas belongs to the family Leguminosae (28), followed by Poaceae (14), Asteraceae (11), Dioscoreaceae (10), etc. Some of the important plants used more frequently by the Lodha people in the state of West Bengal are Aristolochia indica L., Asparagus racemosus Willd., Dioscoreaalata L., D. glabraR. aron, Hemidesmusindicus(L.) R. Br. ex Schult., Solena amplexicaulis (Lam.) Gandhi, etc. A number of traditional practices still exists among the Lodhas which are employed for conservation of local biodiversity and to ensure the sustainable livelihood of the Lodha people.

**Ethnomedicine for cold and cough by the tribes of Srikakulam district, Andhra Pradesh'**

B V A Ramarao Naidu and T V V SeetharamiReddi

Ethnomedicinal survey of plants used for the treatment of cold and cough by the tribes of Srikakulam district, Andhra Pradesh, yielded 41 species covering 39 genera and 29 families. Lamiaceae and Euphorbiaceae with 3 species each are the dominant families followed by others. Herbs are dominant with 17 species followed by shrubs (9 spp) and others. Leaf is used in a maximum of 12 practices followed by fruits (6), and others. All the interesting as well as less known ethnic uses must be seriously taken-up by the researchers for scientific validation.

**Evaluation of anthelmintic activity of Meynaspinosa Roxb – A folk medicinal plant of north-east India'**

SaikatSen, JasminAra, Raja Chakraborty, PratapKalita

Natural antiparasitics have exhibited cabbalistic effects in healthcare units since ancient time. Meynaspinosa Roxb.is a traditional medicinal plant of North East India and is used in the treatment of different worm infections.

The present study was designed to investigate in vitro anthelmintic activity of the methanolic extract of Meynaspinosa against Indian adult earthworm (Pheretimaposthuma). Worm motility and mortality were assessed in order to evaluate the anthelmintic activity of the extract. Paralysis time and time of death of worms was noted in the presence of different concentrations of extract (50 mg/mL, 100 mg/mL, and 150 mg/mL) and standard drug, albendazole. The results showed the extract exhibited significant in vitro anthelmintic activity against P. posthumaat different concentrations. Extract (150 mg/mL) exhibited very strong anthelmintic effect which was evidenced by the paralysis and death of worms in lesser time. In conclusion, the findings revealed that the methanolic extract of Meynaspinosaleaves has effective anthelmintic activity against P. posthuma and indicated that the plant is a potent natural antiparasitic agent.

**Pharmacognostical fingerprinting and selective bioactivity studies of Solanumglaucophyllum Desf.'**

Anindya Sundar Ray, Suman Kalyan Mandal and Chowdhury Habibur Rahaman

Ethnomedicinal survey of plants used for the treatment of cold and cough by the tribes of Srikakulam district, Andhra Pradesh, yielded 41 species covering 39 genera and 29 families. Lamiaceae and Euphorbiaceae with 3 species each are the dominant families followed by others. Herbs are dominant with 17 species followed by shrubs (9 spp) and others. Leaf is used in a maximum of 12 practices followed by fruits (6), and others. All the interesting as well as less known ethnic uses must be seriously taken-up by the researchers for scientific validation.

Solanumglaucophyllum Desf. (Solanaceae) is traditionally used for curing several health conditions in both human and domesticated animals. The aim of the present work is to prepare pharmacognostic fingerprints of crude drugs obtained from the leaf and stem parts of S. glaucophyllum. Pharmacognostic study revealed that the leaves are amphistomatic and stomata are strictly of anisocytic type. Values of stomatal index, palisade ratio, ash content of the investigated parts are found distinct and can be used as pharmacognostic standards for evaluation of crude drugs of this medicinal plant. Phytochemical studies of the leaf and stem parts indicated that phenolics, flavonoids, tannins and alkaloids are present in quite impressible amount. Curcumin content in stem was found very high through HPLC analysis. In DPPH radical scavenging assay, the stem part showed significant antioxidant potential. Ethanol extract of stem produced maximum inhibition zone (11mm) against Pseudomonas aeruginosa at the concentration of 50 mg/ml among five test microorganisms. Some pharmacognostic features recorded in this study as diagnostic ones will help in proper identification of this ethnomedicinal plant in its fresh as well as dried form. On the other hand preliminary phyto chemical, antioxidant and antimicrobial studies highlight the S. glaucophyllum as a promising candidate for bioprospecting.

## IPR AWARENESS PROGRAMMES CONDUCTED

| Title of the Programme | In association with | Date | Resource Persons |
|---|---|---|---|
| Workshop on 'Intellectual Property Rights' | MES College of Engineering, Kuttippuram | 10th July, 2018 | • Dr. Lawwellman<br>• Adv. Febin James<br>• Shri. Vishnu V.A. |
| Workshop on 'Intellectual Property Rights: Issues and Challenges' | Christian College, Chengannur | 28th July, 2018 | • Dr. Jippu Jacob<br>• Shri. Ajith.M<br>• Shri. Arun Alfred |
| Workshop on 'Role on Intellectual Property Rights (IPR) in Academia' | Sree Sankara College, Kalady | 6th September, 2018 | • Shri.V.P.Balagangadharan<br>• Adv. Febin James<br>• Shri. Safikh S. |
| Workshop on 'IPR and Innovation' | St. Joseph's College for Women, Alappuzha | 15th September, 2018 | • Dr. Jippu Jacob<br>• Adv. Febin James<br>• Shri. Vishnu V.A. |
| Seminar on 'Intellectual Property Rights' | PRS College of Engineering and Technology, Neyyattinkara | 18th September, 2018 | • Shri.V.P.Balagangadharan<br>• Shri. Safikh S.<br>• Shri. Vishnu V.A. |
| National Seminar on 'Intellectual Property Rights' | Sree Narayana College, Punalur | 24th September, 2018 | • Shri.V.P.Balagangadharan<br>• Adv. Febin James<br>• Shri. Vishnu V. A. |
| National Seminar on 'Academic Perspective of Innovation and Intellectual Property Rights' | Marian College Kuttikkanam | 28th September, 2018 | • Shri. Afsar S<br>• Adv. Febin James<br>• Shri. Safikh S |

Adv. K. Raju, Hon. Minister for Forest inaugurating the Workshop at Sree Narayana College, Punalur

Shri. Kodikunnil Suresh, Hon'ble M.P, inaugurating the Workshop at Christian College, Chengannur

Shri .V. P. Balagangadharan, Former Brahmaprakash Scientist, VSSC delivering his lecture.

Shri. Afsar.S, Patent Attorney, Bangalore delivering his lecture

Dr.Lawwellman, Assistant Professor, Govt. Law College, Kozhikode delivering his lecture.

Dr.Jippu Jacob, Professor, Amal Jyothi College of Engineering, delivering his lecture

Adv. Febin Thomas, Trademark Attorney delivering his lecture.

Views of participants




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