



CCI had reportedly found the tech giant Google to be guilty of adopting anti-competitive, unfair and restrictive trade practices in the mobile operating system and related markets compelling to pay 15-30% on the sale of digital goods as a service fee. However, on application made by Google seeking to restrain CCI from divulging probe information citing violation of Regulation 35 (8) of the Competition Commission of India (General) Amendment Regulations, 2022. Karnataka High Court has temporarily restrained CCI from releasing any information of the probe.

Google India Private Limited & Others v. Competition Commission of India (CCI) & Others

Government of India (Centre) comes clear as to when a twitter account can be suspended. Centre informed Delhi High court that Twitter is categorised as Significant Social Media Intermediaries which calls for issuance of prior notice to the user before taking any action on the user account and that failure to comply with the same may amount to a violation of Information Technology (Intermediaries guidelines) Rules 2021. Centre further opined that any account can be suspended or de-platformed / blocked only if the tweets are against the interest of sovereignty and integrity of India, which is unlawful or prohibited under any law in force, or which is against the orders of the lawful notice by an appropriate government or its agency, based on the court orders or if information in the account is grossly unlawful.

Sanjay R Hegde v. Ministry of Electronics and Information Technology and Anr.

Delhi High Court has awarded a degree of permanent injunction against Teaquilla A Fashion Cafe and have granted Rs. 2 lakhs damages

and an amount of about Rs. 9 lakh in favour of Starbucks Corporation over infringing use of Starbucks registered trademark 'FRAPPUCCINO', either alone or with any prefix or suffix or any other confusing and deceptively similar trademark in relation to their goods, services and business as well as passing off. Court found that Starbucks through extensive use, worldwide sales and marketing and premium quality of the goods sold under marks 'FRAPPUCCINO', have earned formidable goodwill and reputation.

Starbucks Corporation v. Teaquilla A Fashion Cafe & Anr

Delhi High Court observed that the sale of counterfeit or knock-off products has become prolific on the internet, which needs to be arrested in order to protect the owners of the trademarks as also the customers who purchase such products. Issue in this case involves a brand SIRONA dealing with female hygiene products which found to be infringed; and counterfeits / look-alike products were sold through renowned ecommerce platforms like snapdeal, meesho and amazon. Court observed that sale of counterfeit "SIRONA" or "SIROMA" branded products in identical containers, colour combination would be nothing but a complete rip off for the consumers who may be purchasing these products under the impression that they originate from the Plaintiff and when brand deals with feminine hygiene products where the highest quality is expected to be adhered to.

Sirona Hygiene Private Limited v. Parulben Navnath Chothani Trading As Shiv Enterprise & Ors.

Historian Audrey Truschke made defamatory tweets against historian Dr. Vikram Sampath over alleged plagiarism with respect latter's two-volume biography of Vinayak Damodar Savarkar. Earlier in February, 2022, Delhi High Court had injuncted any publications in the matter and had restrained Dr. Audrey Truschke from publishing any defamatory material against Dr. Sampath on Twitter as well as other online or offline platforms. Disregarding court's order Truschke made further defamatory tweets posteder and also did not submitted to the jurisdiction of the Delhi High Court.

While allowing an application seeking direction of taking down of these further defamatory tweets, Court observed that Truschke had failed to enter appearance before the Court, and a prima facie case is made out on behalf of Sampath.

Dr. Vikram Sampath v. Dr. Audrey Truschke & Ors

Kerala High Court observed that although copyright is intended to protect one's work that does not stop others from adopting the very same theme so long as the theme has an individual quality of its own with an element of innovation from the creator apart from the general theme and its natural sequences.

Suryansh Broadcasting Pvt Ltd & Anr v. Zee Entertainment Enterprises Ltd & Anr.

Google Ads Program uses registered trademark as keyword and makes such trademark available for auction, forcing even the registered proprietor to bid for his/her own trademark preventing it to fall into hands of its competitor. While deciding on the legality of this practice Court considered misrepresentation through adwords. Delhi High Court upheld observation of two precedents, that use of a registered mark by competitors even as metatags would be infringement, though the same may be invisible to a user, this use registered trademarks in Google Ads Program is infringing use; and this invisible use of registered trade mark by non- proprietors dilutes the mark and amounts to online. Diversion of internet traffic away from trademark owner's website to infringer's website there cannot be better evidence of passing off, confusion and deception and amounts to hijacking traffic from the Plaintiffs' site by a thoroughly dishonest and mala fide use of the Plaintiffs' mark and name in the meta tags of his own rival website.

Makemytrip India Private Limited v. Booking.com B. V. & Ors.