

PUBG Features Godzilla, Nike Sues Rapper Lil Nas X, and more

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PUBG features Godzilla, Apple unable to prevent Swatch from trademarking Steve Jobs' quote, Calcutta High Court protects Well-Known "Amul" trademark and more brought to you by the Trademark Attorneys at BananaIP (BIP) Counsels

INDIAN TRADEMARK UPDATES

Calcutta High Court Restrains Usage of Amul's Well-Known Trademark

The Calcutta High Court recently passed an interim order against Maa Tara Trading Co., restraining them from using the trademark 'Amul' in connection with their products. The case was instituted by Kaira District Cooperative Milk Producers Union Ltd. ("Kaira"), who are the proprietors of the trademark 'Amul'. It was contended in the Plaint, that Maa Tara Trading Co. was incorporating the 'Amul' trademark with a deceptively similar font in the labels of candles marketed by them, which was alleged to be an act of trademark infringement. The counsel appearing for Kaira also pointed out that the 'Amul' trademark was recognised as a well-known mark by the Trademark Registry, and therefore, the Calcutta High Court duly passed an order of temporary injunction restraining Maa Tara Trading Co. from using the 'Amul' mark until the suit is disposed of.

Citation: *Kaira District Cooperative Milk Producers Union Ltd and Anr. V/S. Maa Tara Trading Co. and Ors. [Ga/1/2020 In Cs/107/2020]*

INTERNATIONAL TRADEMARK UPDATES

Nike Sues Rapper over Trademark Infringement Concerns

Up-and-coming rapper Lil Nas X recently released a line of limited-edition footwear in collaboration with streetwear brand MSCHF, which attracted a lawsuit from sportswear giant Nike. The shoes launched by Lil Nas X were modified versions of Nike's own Air Max 97 shoes, which were redesigned to include a pentagram logo, a Bible verse, and certain other Satanic depictions. Nike has instituted a suit in the US District Court for the Eastern District of New York, claiming that it has not authorised the manufacture of the customised shoes, and that the selling of shoes bearing its trademarked 'swoosh' logo amounts to trademark infringement.

Apple Unsuccessful in Preventing Usage of Steve Jobs' quote

Swiss watchmaker Swatch recently succeeded in securing trademark protection over the phrase "One More Thing", which was challenged by technology giant, Apple. The phrase "One More Thing" was repeatedly used by Apple co-founder Steve Jobs, while announcing new exciting products towards the end of his keynote speeches. Apple contended that the phrase was popularised and associated with Apple due to its infamous usage by Steve Jobs on several momentous occasions. A Judge of the UK High Court, however, held that although the phrase may have been registered by Swatch to "annoy" Apple, it was not sufficient grounds to reject Swatch's trademark application.

BRAND LICENSING UPDATES

Godzilla and King Kong to Feature in PUBG

Legendary Entertainment and Toho, the creators of the recent blockbuster hit 'Godzilla vs. Kong', have penned a deal with one of the most widely played online mobile games, PUBG. The partnership would bring significant changes to the PUBG game, with the main characters from the Godzilla vs. Kong movie becoming playable characters in PUBG, and a variety of Godzilla themed game modes and other features being introduced. This partnership follows a number of similar deals in the past where PUBG had integrated immensely popular shows and movies like The Walking Dead and Mission Impossible into the game.

Supreme and Dr. Martens Pen Footwear Collaboration

American streetwear giant Supreme has recently partnered with footwear company Dr. Martens for a line of limited-edition shoes, that are set to release on April 8, 2021. The coveted collection, which has been named the '5-eye shoes', come in three designs, zebra print, brick red, and classic black. The zebra print shoes also feature an inner lining of pony hairs, with the other two iterations featuring leather linings. While the cushioning and the split-toe stitching are completely done by Dr. Martens, the insoles will be co-branded by both Supreme and Dr. Martens.

DOMAIN NAME DISPUTE UPDATES

RealtyPRO Network Inc. Found Attempting Reverse Domain Name Hijacking

A real estate company, RealtyPRO Network Inc., was recently handed an unfavourable decision from the National Arbitration Forum, an American dispute resolution service provider, in a

case concerning the domain name RealtyPRO.com. RealtyPRO Network, which currently uses the domain RealtyProNetwork.com, had previously attempted to purchase the disputed domain name several times, but its offers were rejected by the domain owner. RealtyPRO Network Inc. then initiated proceedings under the Uniform Domain Name Dispute Resolution Policy (“UDRP”), seeking to gain ownership over the RealtyPRO.com domain name. The Panelist of the National Arbitration Forum took into account the previous attempts made by RealtyPRO Network to purchase the disputed domain name, and accordingly held that the company had filed the present complaint as a “Plan B Scheme” to acquire rights over the domain. The dispute was, therefore, held as an attempt at reverse domain name hijacking by RealtyPRO Network Inc.

GEOGRAPHICAL INDICATION UPDATES

Pakistan Intends to Register GI for Himalayan Pink Salt

Pakistan has recently expressed its intention to register Himalayan Pink Salt as a Geographical Indication (“GI”), so as to prevent unauthorized use of the same by other countries. One of the world’s largest deposits of the Himalayan Pink Salt can be found at Jhelum, in Pakistan’s Punjab province. The Himalayan Pink Salt is also known to be loaded with minerals, that have numerous health and other benefits. This decision could spark further controversy between India and Pakistan, owing to Pakistan’s recent GI registration for Basmati Rice in the European Union.

Madhya Pradesh’s Tribal Dolls Applied for GI Tag

The tribal dolls, or the ‘Adivasi Gudiya Hastshilp’, which have been produced in Madhya Pradesh’s Jhabua district for

decades, has recently been applied for geographical indication tagging by the Tribal Co-Operative Marketing Development Federation (TRIFED). The dolls, which are made using cloth, cotton, and iron wires, feature a combination of Rajasthani puppet-making and Gujarati ethnic art, which uses beads and jewellery. The granting of the GI tag for the Adivasi Gudiya would be a major step towards the recognition of tribal art forms in the country.

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About BananaIP Counsels Trademark Attorneys

The Trademark News Bulletin is brought to you by the Trademark/Copyright, IP Transactional Strategy Divisions of BananaIP Counsels, a Top IP Firm in India. Led by [Sanjeeth Hegde](#), BananaIP Counsels' trademark attorneys are among the leading experts in the field. If you have any questions, or need any clarifications, please write to contact@bananaip.com with the subject: Trademark News.

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