

LEGAL DEPARTMENT E-BULLETIN



Vishal Amin appointed as IP Enforcement Coordinator

The US Senate has appointed Vishal Amin as the next IP Enforcement Coordinator (IPEC). The IPEC is US Government's nodal agency for coordinating US' government's response to IP infringement. It works in collaboration with different groups such as federal agencies, law enforcement organisations and foreign governments.

BBC and fellow broadcaster in row

UK broadcaster Channel 4 has accused the British Broadcasting Corporation (BBC) for ripping off its show "The Great British Bake Off" (Bake Off). According to Channel 4, BBC's newly created show "Britain's Best Cook" was substantially similar to its show Bake Off, which was released in 2010. No legal action has yet been taken by Channel 4.

Olympic gold medalist Usain Bolt creates trademark portfolio

Jamaican sprinter and eight time gold medalist Usain Bolt is seeking to capitalise his brand image and trademark portfolio post – retirement. Bolt already owns a trademark for his name "Usain Bolt" to be used on clothes and a trademark for a silhouette of his performance performing the 'lightning bolt' pose.

Bolt owns a total of seven trademarks registered with the United States Patent & Trademark Office (USPTO).

Uber accused of parallel importation of cars

Uber is being scrutinized in Singapore for its parallel import (PI) car models in the aftermath of a major safety breach. According to sources, Uber failed to take action to repair some of its vehicles meant for the Singaporean market that had been involved in a recall. It has been alleged that Uber rented out more than 1,000 Honda Vezel cars to drivers despite knowing that those vehicles were recalled in April 2016 and even after one of them caught fire.

UK's Supreme Court contemplates criminalising grey market sales

UK's Supreme Court has held that the sale of grey market goods could be treated as a criminal offence. The decision was handed down by the Court in an interlocutory

appeal on a criminal proceeding. It centered on the interpretation of Section 92(1) of the Trade Marks Act 1994 which covers the unauthorised use of trademarks. The primary issue before the Court was whether criminal liability would only arise in relation to "true counterfeiters" and not in the case of legitimate goods on the grey market.

Thailand joins Madrid Protocol

Thailand became the 99th member of the Madrid Protocol, an international system for registering and administering trademarks worldwide. The Thai Government submitted its instrument of accession to the World Intellectual Property Organization (WIPO) on August 7, 2017. Thailand's trademark owners will now be entitled to protect their marks in 114 territories of the Protocol's 98 member states.

Mike Tyson sues man for trademark infringement

Ace former heavy weight champion Mike Tyson has sued a Nevada citizen for running an online store which sold T – shirts bearing Mike Tyson's likeness on the pretext that they were officially licensed for striking deals with major companies. Tyson has sought injunctive relief, triple damages, destruction of infringing activities, punitive damages and attorney's fees.

UK Supreme Court President seeks clarification on EU Law

Lord Neuberger, the President of UK's Supreme Court has sought clarification from the British government on the development of UK law post Brexit. He specifically requested the government to provide clear instructions to the judges regarding the treatment to be meted out to Court of Justice of the Europe Union's decisions. In an interview to BBC, he said, "the government needs to be "very clear" in telling the judges what to do about decisions by the Court of Justice of the European Union (CJEU) after the UK leaves the EU.

Indian court grants blocking order for Internet Archive

India's Madras High Court has issued an order for blocking 2650 websites including online library of public works Internet Archive on grounds of copyright infringement.

The E-Bulletin of the ABU Legal Dept. is a fortnightly initiative to bring news and other updates to members.

Editor : Ms Seemantani Sharma

To subscribe please email: Ms Sharma – seemantani@abu.org.my