



NEWSNET

Monthly Newsletter by R. K. Dewan & Co.

RKD NEWS

R. K. Dewan & Co. Successfully Secured 130 Intellectual Property Registrations for its Clients

R. K. Dewan & Co. is pleased to share that, during November 2025, our team secured 40 patent grants, 71 trademark registrations, 11 design registrations, and 8 copyright registrations for clients across India and overseas. These outcomes reflect our continued commitment to delivering timely, strategic, and effective intellectual property protection in diverse jurisdictions.

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R. K. Dewan & Co. Successfully Prosecuted 80 Trademark Application Acceptances and Oppositions for its Clients

R. K. Dewan & Co. is pleased to share that, over the past month, 30 of our trademark applications were accepted and published in the Trademarks Journal, and 50 oppositions were concluded in favour of our clients.

These outcomes highlight our team's thorough preparation and rigorous prosecution of trademark matters, ensuring steady advancement in our clients' registration processes.

RKD LITIGATION UPDATES

R. K. Dewan & Co. Swiftly Settles a Trademark Infringement Suit for The Royal Bakery before the Hon'ble Pune Commercial Court



RKD LITIGATION UPDATES

R. K. Dewan & Co. is pleased to report the swift and favourable settlement of a trademark infringement and passing off suit filed on behalf of The Royal Bakery before the Hon’ble District & Sessions Court (Commercial), Pune.

In September, RKD initiated a suit against the Defendants for their unauthorized use of the Plaintiff’s registered trademark “The Royal Bakery”. Upon being served with summons in November, the Defendants appeared and unequivocally agreed to permanently cease and desist from using the infringing mark.

Acting without delay, RKD immediately prepared and filed Consent Terms under Order XXIII Rule 3 read with Section 151 of the Code of Civil Procedure, 1908, as mandated. Recognizing the parties’ consensus, the Hon’ble Court decreed the suit in November in terms of the Consent Terms.

This outcome showcases RKD’s swift and strategic action with the suit being fully settled and decreed in less than two months from the date of filing thereby ensuring prompt enforcement of the client’s rights and an efficient, binding resolution at a fast pace.

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R. K. Dewan & Co. Secures Interim Protection for ARQ Providores before the Hon’ble Delhi High Court

R. K. Dewan & Co. is pleased to share a significant interim order passed by the Hon’ble Delhi High Court in favor of its client, ARQ Providores, in a trademark infringement and passing off action initiated against the Leela Group.

RKD represented ARQ Providores, a premium brand established in 2018 in the space of sweets, savories, confectioneries and catering, and asserted its long-standing prior use and goodwill in the ‘ARQ’ marks. The Hon’ble Court took cognizance of ARQ’s continuous and honest adoption, growing reputation, extensive media presence, and the fact that the brand had even featured in The Leela’s Summer Magazine (2021) prima facie establishing the Defendants’ prior knowledge of the Plaintiff’s mark.

Despite the Defendants having obtained a registration for “THE ARQ” in Class 43, the Court held that ARQ Providores had made out a strong prima facie case of passing off, particularly in view of the likelihood of confusion between the parties’ allied and cognate services targeting the same segment of high-end consumers.



RKD LITIGATION UPDATES

By way of a balanced interim arrangement, the Hon'ble Court directed that the Defendants may use the mark ARQ only as "ARQ BY THE LEELA", with the house mark displayed prominently and uniformly. The Defendants were further restrained from using the standalone ARQ logo and from using ARQ in relation to sweets, savories, confectioneries, room service, catering or restaurant activities within their properties.

This order reinforces R. K. Dewan & Co.'s commitment to protecting its clients' intellectual property rights through timely, strategic and effective legal action.

R. K. Dewan & Co. Successfully Defends Maintainability of Trademark Infringement Suit before the Hon'ble Bombay High Court

R. K. Dewan & Co. is pleased to share a favorable decision wherein the Hon'ble Bombay High Court dismissed a Writ Petition challenging the maintainability of a trademark infringement and passing off suit filed by its client, Indian Law Society, before the Pune Commercial Court.

The Respondent-Plaintiff (Indian Law Society) had instituted a commercial suit seeking injunctive relief and damages against the Appellant-Defendant for the unauthorized adoption and use of the mark "IILS", which was deceptively similar to the Respondent-Plaintiff's established trademark "ILS", including its use as part of the Appellant-Defendant's domain name. The Appellant-Defendant sought rejection of the plaint under Order VII Rule 11 of the Code of Civil Procedure, 1908, alleging non-compliance with the mandatory pre-institution mediation requirement under Section 12-A of the Commercial Courts Act, 2015, on the ground that the suit did not contemplate any urgent interim relief.

The Pune Commercial Court rejected the Appellant-Defendant's application, holding that the Respondent-Plaintiff had, prima facie, established entitlement to protection of its intellectual property rights and that mere delay in approaching the Court could not, by itself, lead to the conclusion that no urgent interim relief was contemplated. This order was assailed by the Appellant-Defendant before the Hon'ble Bombay High Court.

After considering the rival submissions and the settled position of law, the Hon'ble Bombay High Court upheld the Commercial Court's order and dismissed the Writ Petition.



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The Court clarified that trademark infringement and passing off suits constitute a continuous cause of action that inherently contemplate urgent interim relief, and therefore cannot be dismissed merely for non-compliance with Section 12-A of the Commercial Courts Act.

This decision underscores the judiciary's consistent approach in safeguarding intellectual property rights against procedural objections and reinforces R. K. Dewan & Co.'s commitment to protecting its clients' interests through strategic and effective litigation.

R. K. Dewan & Co. Successfully Opposes Extension of Ex-Parte Injunction in a Design Infringement Dispute before the Hon'ble Baramati District Court

R. K. Dewan & Co. is pleased to report yet another favourable order passed by the Hon'ble District Court of Baramati for its client Bhansali Agro Tech (Defendant) in a design infringement suit, wherein the Court declined to extend an ad-interim ex-parte injunction sought by the Plaintiff.

An ad-interim ex-parte injunction had earlier been granted on 05.12.2025, restraining the Defendant from dealing in its product. Subsequently, the Plaintiff moved an application seeking extension of the injunction till final disposal of the interim relief application, alleging that the Defendant's product design was symmetrical and substantially similar to the Plaintiff's registered design.

Appearing for the Defendant, RKD strongly opposed the extension, submitting that the Defendant is also a registered right holder in respect of the design of its product and that the rival designs are distinct and dissimilar thereby negating any justification for continuation of an ex-parte restraint.

After hearing both parties, the Hon'ble District Court observed that it is undisputed that both parties hold registered design rights and that the question of similarity or symmetry between the competing designs requires detailed adjudication at the stage of hearing of the interim application. In view thereof, the Court held that it would be unjust and improper to continue the ex-parte ad-interim injunction.



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Accordingly, the Hon'ble Court rejected the Plaintiff's application for extension of the ad-interim ex-parte injunction and directed the matter to be listed for final hearing of the interim application.

This order reinforces the principle that ex-parte injunctions cannot be continued mechanically, particularly where both parties hold statutory IP rights, and demonstrates RKD's strategic and effective representation in protecting its client from unwarranted interim restraints.

LIVELY READING

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