



## **Indian Supreme Court upholds Privacy Rights**

In a landmark decision, the Supreme Court of India has held that all Indians had a fundamental right to privacy under Article 21 of the Constitution. The nine - judge court overruled previous rulings by holding that privacy was an intrinsic part of life and liberty. This decision has wide implications on the Indian Government's biometric ID scheme – Aadhar which covers access to welfare schemes, opening of bank accounts and payment of taxes.

## **Andrei Lancu nominated as USPTO director**

US President Donald Trump has nominated Andrei Lancu as the director of the US Patent and Trademark Office (USPTO) to replace Michelle Lee. Lancu currently serves as the Managing Partner of Irell & Manella LLP, a Los Angeles-based law firm that focuses on intellectual property law.

## **IPOS collaborates with Deloitte to strengthen**

### **Singapore's IP position**

The Intellectual Property Office of Singapore (IPOS) and Deloitte have signed a memorandum of understanding (MoU) for solidifying Singapore's position as an Intellectual Property (IP) and innovation hub. This deal will enable 100 enterprises to gain a foothold in Singapore by allowing them to monetize their IP and ideas through easy access to market opportunities. The agreement was signed between Daren Tang, the CEO of IPOS and Keoy Soo Earn, executive director of Deloitte Southeast Asia's financial advisory practice.

## **Campaign launched to unite music creators in support of their IP rights against broadcasters**

Music industry group, "musicFIRST" has launched a new campaign and new website to "unite music creators in support of their IP rights". The campaign aims to activate artists by persuading radio stations to pay more for airing their music. It also intends to force online service providers such as YouTube and Spotify to pay higher license fees to music creators for using their music. As part of the campaign, the group intends to launch a digital advertising initiative to encourage musicians to share their stories online and to seek the support of Congressmen.

## **Thailand's IP office starts accepting sound trademarks**

The Thai Department of Intellectual Property has started accepting applications for the registration of sound trademarks. As per the Ministerial regulation, the applicant must submit a detailed written description of the sound and whether it is a human sound, an animal sound, a piece of

music/melody, or another type of sound. In August, 2017, Thailand became the 99th member of the Madrid System for registering and managing trademarks internationally.

## **Dipak Misra Sworn in as India's New Chief Justice**

Justice Dipak Misra has been appointed as the 45th Chief Justice of India. The Chief Justice presides over the Supreme Court of India, the highest court of the land. He will remain in office till October 2nd, 2018.

## **NASDAQ sues rival stock exchange for trade secret misappropriation and patent infringement**

International stock exchange, NASDAQ has sued Miami International (MIAX) for allegedly misappropriating its trade secrets and patent infringement. It has alleged that MIAX had hired at least 15 ex-Nasdaq employees so that it could "avoid incurring or reducing the risk, time and expenses of independently developing its own trading technology". This information was allegedly used by MIAX for building two options exchanges: MIAX Options and MIAX Pearl, in 2012 and 2017 respectively. It also claimed that its patents related to trading technology were also infringed by MIAX. It has sought an injunction and damages.

## **Brexit should have no effect on IP rights says EU Commission**

The European Commission has released a paper outlining its aims for treating IP rights post UK's exit from the European Union. According to this paper, the unitary IP rights should remain enforceable even after Brexit as they were comparable to the rights provided by EU law. It further stated that these rights could be implemented by introducing specific domestic legislation without imposing any additional cost on the rightsholder. It also clarified that rights which were exhausted in the EU before Brexit will remain exhausted both in the EU and UK. Lastly, it stated that supplementary protection certificates and database rights should be accorded protection for the remaining duration.

## **NFL opposes trademark application**

The National Football League (NFL) has opposed the mark "Believe in Blue" because it was too similar to a logo used by the Indianapolis Colts, an American football team. According to the opposition application, the Colts have been using the mark "Believe in Blue" and its other variants for promoting its football franchise including using the mark on clothing merchandise.

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

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