



Philip Morris loses plain packaging lawsuit

Tobacco company Philip Morris has lost a case at the Permanent Court of Arbitration after unsuccessfully challenging Australia's Tobacco Plain Packaging Act 2011 (the Act). It has now been ordered to pay A\$50 million (\$38 million) to the Australian Government as fine.

Philip Morris challenged the Act which made it mandatory for tobacco producers to include graphic health warnings for discouraging the consumption of tobacco products.

20 % of corporations believe trade secrets have been stolen

A study conducted by law firm Baker & McKenzie has revealed that at least one in five companies believes that their trade secrets have been stolen, with former employees as the primary culprit. The study surveyed 400 companies with input from the FBI, European Commission and the US Chamber of Commerce.

Further, the study also revealed that at least 48 % of the respondents believed that trade secrets were more important than other IP rights.

Indian Patent Office releases new CRI guidelines

The Indian Patent Office has released new guidelines for seeking patents for computer-related inventions (CRIs). The new guidelines replace the old, much contested CRI guidelines.

The new 18 page guidelines enlist various laws and regulations regarding CRI patent laws including what aspects of CRI are unpatentable.

BMW in trademark infringement row

Luxury car manufacturer BMW has sued online car parts distributor company Xtreme at the US District Court for the Central District of California for trademark infringement and unfair competition.

BMW has alleged that Xtreme attempted to free ride on its reputation by selling counterfeit goods resembling its products on Amazon. BMW has sought \$2 million in damages from the court per counterfeit trademark per type of goods sold and the legal costs related to the suit.

Uber sued for using location based software

Transport company Uber has been sued at the US District Court for the Eastern District of Texas for patent infringement for using location based technologies in its app. The suit has been filed by the company Fall Line which has alleged that Uber infringed its patented technology which allows a user to call a cab with their smartphone to their exact location.

Fall Line has claimed adequate compensation for infringement in the form of a reasonable royalty along with interests and costs, damages, injunctive relief and a jury trial.

Latin American countries establish Patent Prosecution Highway

PROSUR, a coalition of Latin American countries has established a pilot patent prosecution highway (PPH) for expediting the patent examination in Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, Paraguay, Peru, and Uruguay.

Under the project, patent applicants can request an expedited processing of their application filed under the Patent Cooperation Treaty (PCT) and the Paris Convention. This project will last until 31st July, 2018.

Screenwriter defeated in Shakespeare suit

An American screenwriter named Heusey who claimed his copyrighted work on William Shakespeare was infringed by another screenwriter named Emmerich has been dismissed by the US Court of Appeals for the Ninth Circuit.

Heusey's script titled "Not Without Justice" focusses on the alleged murder by Shakespeare of the 16th century English playwright Christopher Marlowe. According to Heusey's suit, Emmerich fraudulently obtained his script and infringed his copyright by incorporating "substantially similar elements" of it into his film "Anonymous". The suit was dismissed for being meritless

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

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