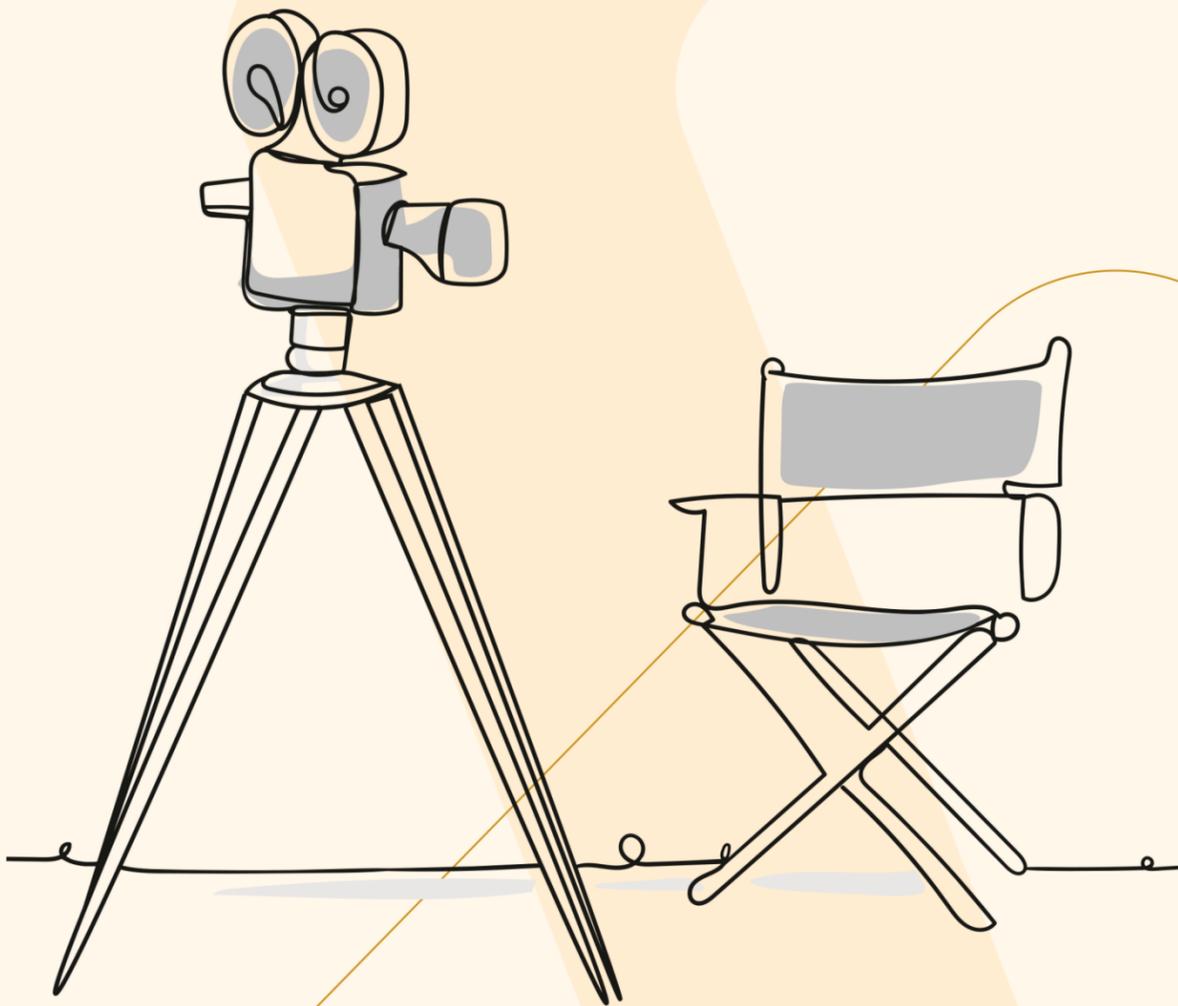


WRITE TO INFORMATION

WHERE LAW MEETS INNOVATION

MEDIA & ENTERTAINMENT



MEDIA & ENTERTAINMENT

» ANI Sues OpenAI – IPR Rights in the Age of AI

Asian News International (ANI), one of leading news agencies in India, has filed a petition in the Delhi High Court, accusing OpenAI, the creator of ChatGPT, of violating ANI's copyright by using its content to train ChatGPT. Although this is the first case of its kind in India, OpenAI has faced similar lawsuits in the United States, Germany, and Canada. These legal actions revolve around the question of whether using copyrighted content to train AI models falls under fair use or not.

ANI accuses OpenAI of using its copyrighted content without permission to train large language models (LLMs) and claims that OpenAI replicates ANI's content verbatim in response to user queries. Furthermore, ANI alleges that ChatGPT occasionally attributes fabricated or inaccurate content to the agency, damaging its reputation and undermining public trust. In response, OpenAI states that training AI models with publicly available data aligns with global fair use practices. OpenAI also emphasizes that it has blocked ANI's website ("aninews.in") from its training data as of October 2024, in line with its opt-out policy.

This case raises several critical legal issues. First, it questions whether using copyrighted content for AI training constitutes infringement. ANI argues that OpenAI should have sought permission, while OpenAI contends that its practices align with the global concept of fair use, which permits the use of certain content for transformative purposes, such as research and development. Other key issues include whether AI models that generate content derived from copyrighted data, even if transformed, violate copyright, and whether extracting "facts" and "information" from copyrighted works for AI training—without accessing the full work—can be considered copyright infringement. The case also highlights the challenge of jurisdiction, as OpenAI's servers are based abroad, raising concerns about whether Indian courts can assert authority over a company whose services are accessed locally. The court's decision will clarify the extent to which Indian laws can regulate foreign AI companies and their practices in India.

The lawsuit epitomizes the challenges of aligning legal frameworks with technologies and highlights the need for adaptive laws that balance innovation with the rights of content creators, ensuring fairness in a digital age. The outcome of this case will establish a legal precedent for handling copyright infringement claims related to AI training data in India and will likely influence future policies on AI, intellectual property, and content regulation, not only in India but worldwide.

» Central Board of Film Certification introduces new age rating categories

The Central Board of Film Certification has introduced new age rating categories for certified films i.e., U7+, U13+, and U16+. This rating system shall enable parents to make a more informed decision if a film is appropriate for their children to watch. This classification will help the certifying committee avoid putting all films under one broad category. Therefore, the new categories enable the CBFC to categorize films according to the degree of violence in the scenes or mature content. [Read More](#)

TECHNOLOGY & PRIVACY



TECHNOLOGY & PRIVACY

» CCI imposed a penalty of Rs. 213.14 crore on Meta for abusing its dominant position.

In 2021, WhatsApp's updated privacy policy, which mandated the sharing of user data with its parent company Meta (Facebook), sparked significant concerns regarding privacy and data security. The policy update, which required users to accept the terms or lose access to the service, was seen as an infringement on user autonomy, particularly due to the network effects of WhatsApp's widespread use and the lack of viable alternatives. This led to allegations that Meta was abusing its dominant position in the market. The Commission found that the "take-it-or-leave-it" nature of the update, which forced users to accept expanded data collection and the sharing of their information with other companies in the Meta group, imposed unfair conditions on users, as there was no option to opt-out.

The Commission issued cease-and-desist orders and directed Meta and WhatsApp to implement certain behavioral remedies within a specified timeline. Specifically, WhatsApp was prohibited from sharing user data with Meta or other Meta companies for advertising purposes for a period of five years. Additionally, WhatsApp was required to revise its policies to provide clear explanations for any data sharing for non-advertising purposes, specifying the purpose of each type of data shared and linking it to its corresponding use. Sharing user data for purposes other than WhatsApp services was not to be made a condition for accessing WhatsApp's services in India. Furthermore, WhatsApp was directed to provide all users with an opt-out option for such data sharing, accessible through an in-app notification and prominently in the settings. Users were also to be given the ability to review and modify their choice at any time. [Read More](#)

» Centre Launches PAN 2.0 Paperless Project, continues to raise concerns over privacy and security.

The Indian government has initiated the PAN 2.0 Project, a comprehensive overhaul of the Permanent Account Number (PAN) system, aiming to enhance taxpayer services through digital transformation. Approved by the Cabinet Committee on Economic Affairs (CCEA) and chaired by Prime Minister Narendra Modi, the project entails a financial outlay of ₹1,435 crore.

Key Features

1. Ease of access and speedy service delivery with improved quality;
2. Single Source of Truth and data consistency
3. Eco-friendly processes and cost optimization; and
4. Security and optimization of infrastructure for greater agility.

The PAN 2.0 Project aligns with the government's Digital India vision by enabling the use of PAN as a common identifier across all digital systems of specified government agencies, thereby promoting transparency and efficiency. [Read More](#)

» **HDFC Life Insurance reports a data breach of its customer base**

In its regulatory filing, HDFC Life Insurance reported a data breach on Monday, joining a string of Indian insurers facing similar cybersecurity threats. The company revealed the breach in a regulatory filing, stating it was investigating the issue with information security experts to protect customer interests. HDFC Life said that it has launched an “information security assessment and data log analysis” to trace the root cause. The company is in the process of conducting an information security assessment and data log analysis. [Read More](#)

» **U.S. Justice Department Proposes Breaking Up Google to Address Monopoly Concerns**

The U.S. Department of Justice (DOJ) has proposed significant measures to curb Google's alleged monopolistic practices in the online search market. Following a [federal court ruling](#) identifying Google as a monopoly, the DOJ recommends that Google divest its Chrome browser and implement other actions to restore competitive balance. One major recommendation is for Google to sell its Chrome browser. This move aims to eliminate Chrome as a tool for maintaining Google's dominance in online search. The DOJ also seeks to limit Google's ability to leverage its Android operating system to prioritize its own search engine, ensuring a fairer competitive environment for other search providers. Additionally, the DOJ wants to terminate exclusive agreements where Google pays companies like Apple to set its search engine as the default on their devices. These agreements have been criticized for stifling competition. The DOJ also recommends that Google [share its search data](#) with competitors, enabling rival search engines to compete on a more equal footing.

Google has criticized the DOJ's proposals, calling them excessive and potentially harmful to consumers. The company argues that such measures could undermine the quality and security of its services. Google intends to appeal any rulings that mandate significant operational changes. A hearing to deliberate on the proposed remedies is scheduled for April 2025, with a final decision expected by August 2025. If the DOJ's recommendations are implemented, they could lead to substantial changes in Google's operations and reshape the broader technology landscape. [Read More](#)

» **Call for regulations regarding social media platforms and OTTs to become more stringent**

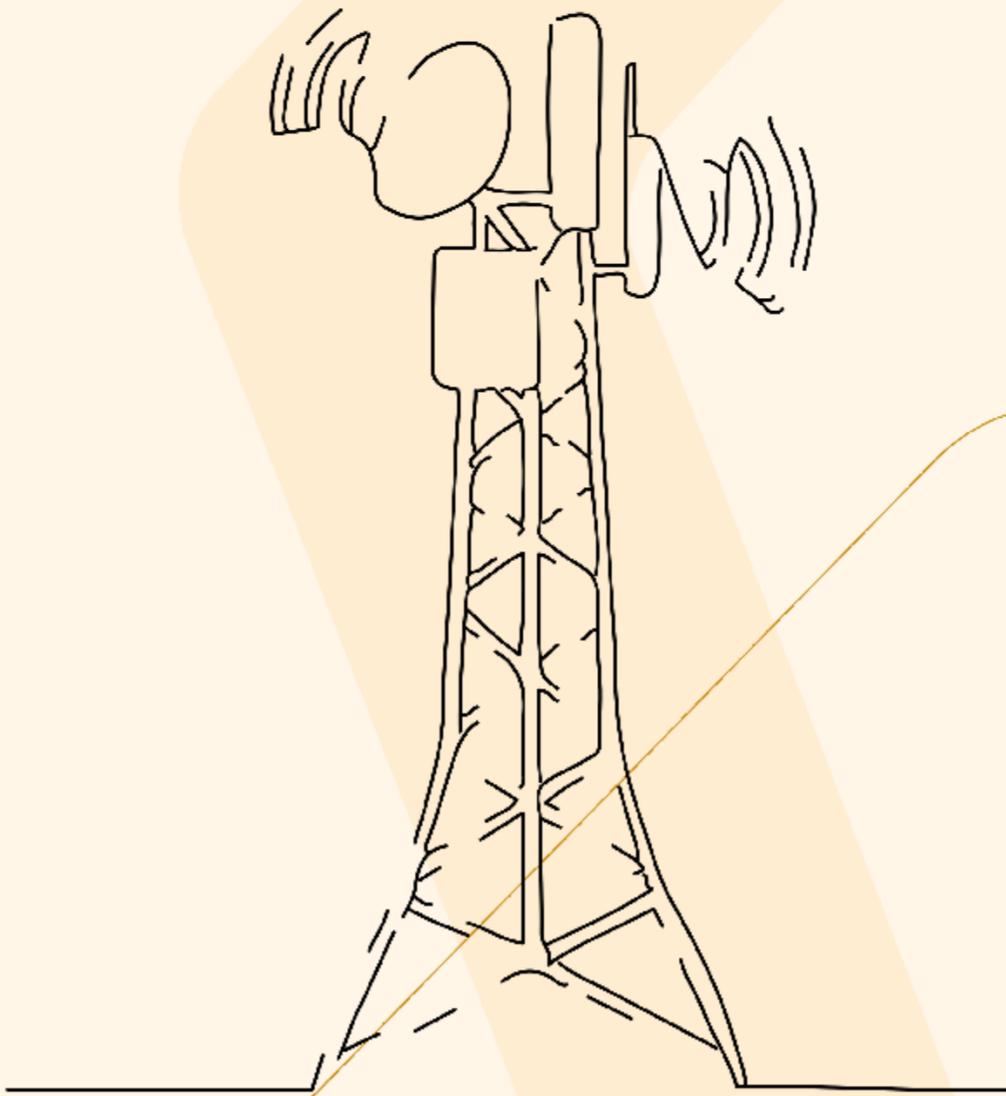
On November 27, 2024, Union Minister of Information & Broadcasting, Railways, and Electronics & IT, Shri Ashwini Vaishnaw, addressed the Lok Sabha, emphasizing the urgent need to strengthen existing laws governing social media and over-the-top (OTT) platforms. He highlighted that traditional media's editorial checks, which once ensured accountability and content accuracy, have diminished over time. This decline has led to social media becoming a platform for uncontrolled expression, sometimes resulting in the dissemination of vulgar content.

Minister Vaishnaw pointed out the significant cultural differences between India and the regions where these platforms originated, underscoring the necessity for India to implement stricter laws tailored to its unique cultural sensitivities. He called for a societal consensus on this matter and urged the Parliamentary Standing Committee to prioritize this issue, advocating for both societal agreement and legislative action to effectively address these challenges. [Read More](#)

» **MeitY has decided to create a dedicated committee to give suggestions on the regulation of deepfake technology.**

The Ministry of Electronics and Information Technology (MeitY) informed the Delhi High Court in the case of Rajat Sharma vs Union Of India (W.P.(C) 15596/2023) regarding its decision to establish a dedicated committee to provide recommendations on the regulation of deepfake technology. MeitY clarified that this new committee is distinct from the sub-committee formed in March 2023 to address broader AI regulation, whose report has already been submitted. The newly formed body will focus exclusively on deepfake-related issues. The MeitY told the Court that a sub-committee was formed through an office memorandum issued on November 20. This sub-committee will comprise one member each from the emerging technologies division, cyber security division and the cyber law division of the MeitY and one representative each from the Indian Cybercrime Coordination Centre (I4C) which comes under the Ministry of Home Affairs, the Centre For Development of Advance Computing, Hyderabad and Data Security Council of India. It would also have one professor from Indian Institute of Technology, Madras and one legal representative. The Court has granted the committee three months to submit its report and scheduled the next hearing for March 25, 2025. [Read More](#)

TELECOMMUNICATIONS



TELECOMMUNICATIONS

» TRAI Mandates Enhanced Traceability of Commercial Messages

The Telecom Regulatory Authority of India (TRAI) has implemented a directive to enhance the traceability of commercial text messages, aiming to bolster the security and transparency of SMS communications. Initially, TRAI mandated that all commercial messages be traceable by November 1, 2024. However, to accommodate necessary technical upgrades and allow Principal Entities (PEs) and Telemarketers (TMs) to declare their communication chains, the deadline was extended to November 30, 2024. Despite extensive efforts, including outreach to sector regulators, government departments, and industry associations, and the organization of webinars and interactive sessions, a number of PEs and TMs have yet to comply with the chain declaration requirement. Consequently, TRAI has issued a new directive mandating that all PEs and TMs complete their chain declarations by December 10, 2024. Access Providers are instructed to reject any messages lacking a properly defined or matching chain starting December 11, 2024.

TRAI continues to urge all PEs and TMs to expedite their compliance to avoid disruptions in message delivery. Access Providers are actively issuing warnings to non-compliant entities to ensure adherence to the new regulations. [Read More](#)

» TRAI extends deadline for feedback on Consultation Paper titled "Framework for Service Authorisations for Provision of Broadcasting Services under the Telecommunications Act, 2023"

TRAI has released a pivotal consultation paper addressing regulatory frameworks for broadcasting services, and has now extended deadlines to provide stakeholders more time to submit their views. The consultation paper, "**Framework for Service Authorisations for Provision of Broadcasting Services under the Telecommunications Act, 2023**," was issued on October 30, 2024. It seeks to outline a comprehensive framework for granting service authorisations for broadcasting platforms such as DTH, HITS, IPTV, community radio, and FM radio, which are currently regulated under the Indian Telegraph Act, 1885. The deadline for submitting comments has been extended from November 20, 2024, to **November 27, 2024**, and counter-comments can now be submitted by **December 4, 2024**. [Read More](#)

» Debate Over Satellite Spectrum Allocation: Balancing Growth and Revenue

The allocation of satellite spectrum for satellite communication services is a contentious issue, with significant debate over the method of distribution. The Ministry of Communication has recently announced that satellite spectrum would now be allocated via **administrative assignment**, moving away from the auction-based model. This decision aligns with global best practices, as satellite spectrum is a non-exclusive, shared resource. Unlike terrestrial spectrum, satellite frequencies can be reused by multiple operators to serve the same geographical regions, making auctions less practical. Furthermore, the **Telecommunications Act, 2023**, explicitly provides for administrative spectrum allocation for satellite-based services, with the cost and allocation methodology regulated by the TRAI. [Some market players](#) argued that auctions would have maximised government revenue and brought greater transparency to the allocation process. Auctions have traditionally been viewed as a competitive mechanism that ensures fair access to resources and prevents potential favoritism. During the winter session of Parliament, questions were raised about the revenue implications of foregoing auctions. Several lawmakers expressed concerns over potential losses, emphasizing the importance of financial accountability in public resource allocation. [Read More](#)

» DoT Introduces Comprehensive Cybersecurity and Infrastructure Protection Rules for Telecom Sector

The Department of Telecommunications (DoT) has introduced comprehensive regulatory measures under a series of new rules aimed at fortifying the telecom sector's cybersecurity and operational integrity:

- 1. Telecommunications Cybersecurity Rules, 2024:** Telecom entities must adopt a cybersecurity policy, conduct periodic security audits, report incidents within six hours, and establish Security Operations Centres. Misuse of telecom networks or equipment is prohibited, and entities are required to ensure compliance with issued standards and furnish detailed action reports on the portal. These rules aim to establish a robust cybersecurity framework, mandating compliance with incident reporting, risk assessments, and enhanced measures to safeguard consumer and national data security.
- 2. Telecommunications Critical Telecommunication Infrastructure Rules, 2024:** These rules are applicable to networks identified by the Central Government as critical due to their potential impact on national security, economy, public health, or safety, the rules mandate strict compliance with security standards, including maintaining logs, verifying personnel access, and ensuring supply chain transparency. These rules aim to safeguard critical networks against disruptions and threats.
- 3. Telecommunications (Temporary Suspension of Services) Rules, 2024:** These rules provide a legal framework for implementing internet shutdowns during public emergencies. Suspension orders can only be issued by a competent authority, with exceptions for Joint Secretaries to the Central Government in urgent cases, subject to confirmation within 24 hours. All orders must state reasons, be limited in scope, and be either communicated in writing or electronically to designated nodal officers. Review Committees at the Central and State levels will assess orders within five days, ensuring oversight and accountability.

Collectively these rules aim to bolster national security, protect critical infrastructure, and enhance the resilience of telecom networks against increasing cybersecurity threats. The DoT's proactive stance reflects the growing importance of secure telecom infrastructure in the digital age. Operators are expected to align their operations with these frameworks promptly, as failure to comply may attract significant regulatory penalties. [Read More](#)

» Department of Telecommunications has also notified the Draft Telecommunications (Regulatory Sandbox) Rules, 2024

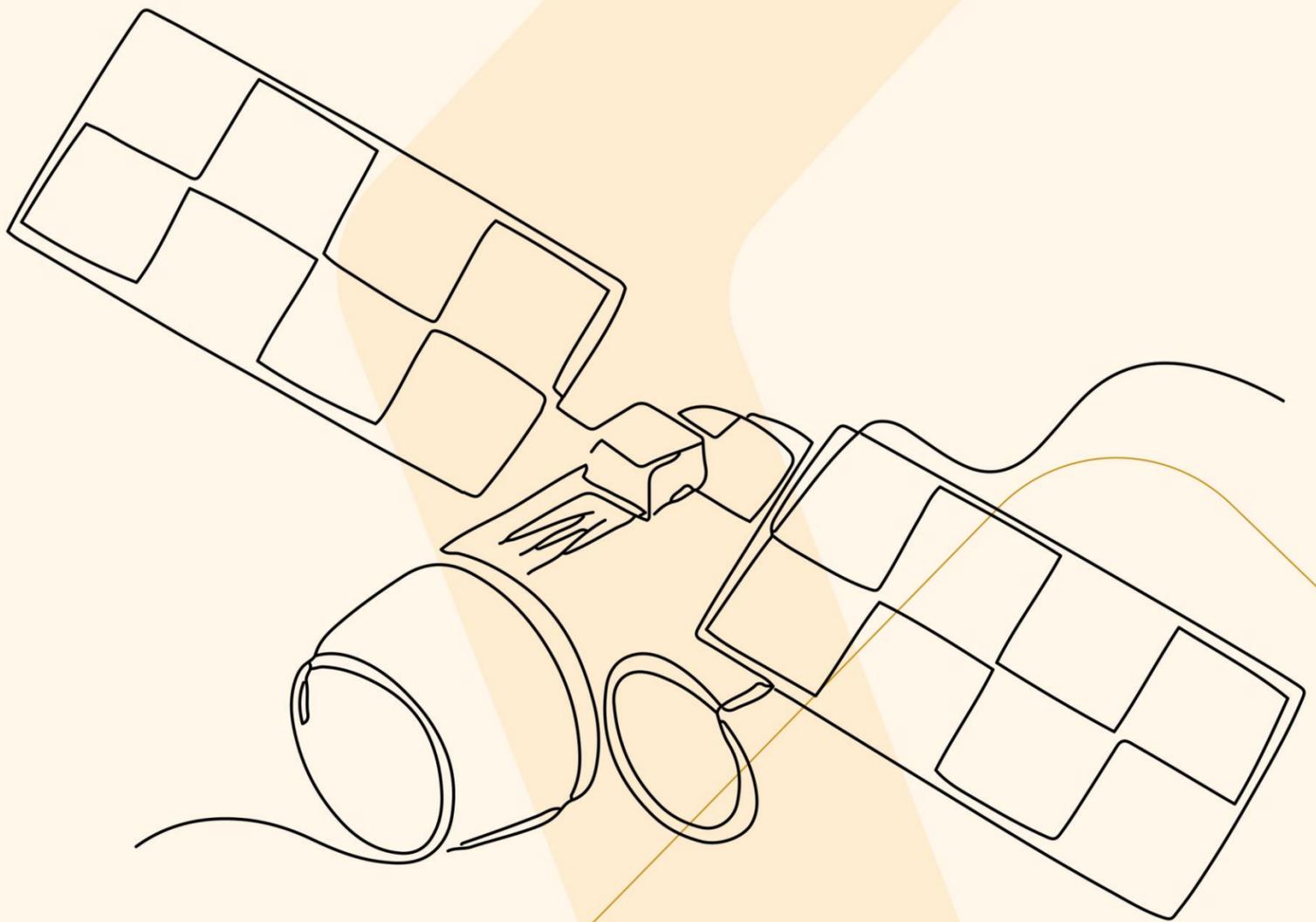
In the age of rapid technological advancements, the need for a controlled environment to test new products, services, and business models is becoming vital to drive innovation, ensure regulatory compliance, and safeguard consumer interests. 'Regulatory sandboxes' provide this solution. As per the Telecommunication Act, 2023, a regulatory sandbox is a live testing environment for new technologies and business models on a limited user base, with specific relaxations from the provisions of the Act. To advance innovation in India's digital communication space, the DoT on November 27, 2024, notified the Draft Telecommunications (Regulatory Sandbox) Rules, 2024. This framework is a significant step toward fostering innovation, reducing regulatory burdens, and ensuring the safe integration of cutting-edge technologies like 5G networks, AI-powered communication tools, and blockchain applications, among others.

» *Key Highlights of the Draft Rules:*

1. **Creation of Sandboxes:** Proposed by the Central Government or upon application, each sandbox will have clear objectives, guidelines, exemptions, eligibility criteria, exit strategy, and reporting obligations.
2. **Validity:** The sandbox's duration will be up to 2 years, extendable by 12 months.
Applicant Obligations: Ensuring data privacy, obtaining informed consent from participants, and maintaining liability insurance.
3. **Governance Committee:** Oversight of sandbox operations, evaluation of results, and recommendations for continuation or commercial viability.
4. **Revocation of Approval:** Non-compliance or misinformation by applicants may lead to revocation of sandbox approval.

The consultation process invites stakeholders to provide feedback on the draft rules within 30 days of publication, i.e., before December 27, 2024.

COMMERCIAL SPACE & DEFENSE



COMMERCIAL SPACE & DEFENSE

» India's First Dedicated Space Law Draft Ready, to Open for Stakeholder Consultation Soon

India has taken a significant step toward formalizing its space sector with a fresh draft of the country's first dedicated space law. Although no official draft has been made public yet, it has been reported that industry stakeholder consultations are slated to begin by March 2025 or earlier. Additionally, Pawan Goenka described the draft as a complete departure from a previous version presented six years ago and stated that: *This new law is comprehensive and will clearly define roles for the Indian Space Research Organisation (ISRO), the Department of Space, and In-SPACe, enabling more robust governance of foreign investments and regulatory issues.*

The draft, prepared by the Department of Space, aims to ease foreign investments and streamline regulatory processes, according to Pawan Goenka, chairman of the Indian National Space Promotion and Authorization Centre (In-SPACe). The absence of a dedicated space statute has long hindered growth in India's space sector, currently valued at approximately \$9 billion. Investment proposals face bottlenecks due to reliance on the small space department, causing a backlog. The new law is expected to address these issues. [Read More](#)

» Draft Karnataka Space Technology Policy (2024-29)

The Karnataka government unveiled the Draft Karnataka Space Technology Policy (2024-29) at the Bengaluru Tech Summit. Through this policy, Karnataka aims to hold 50% of the national market share and 5% of the global market share in the sector. The policy will encompass all facets (upstream and downstream) of the space value chain, including commercial, defense, electronics, and space research sectors such as astronomy and astrophysics. The policy aims to operationalise the vision through five focused missions: [Read More](#)

- 1. Skill Development:** Train and upskill 5,000 students and professionals, including 1,500 women, to meet global and domestic space sector demands.
- 2. Investments:** Attract USD 3 billion in investments through incentives, outreach programs, and campaigns to strengthen the state's space ecosystem.
- 3. Infrastructure Development:** Establish a space manufacturing cluster to foster industrial agglomeration and economies of scale. Create testing centers and facilities through PPP models and enable common access to testing infrastructure for public and private players.
- 4. Innovation and Facilitation:** Directly support ~500 startups and MSMEs through grants, equity funding, and subsidies for IP registration, testing, certification, and marketing. Aim to indigenously launch 50+ satellites through Karnataka-based enterprises.
- 5. Adoption and Awareness:** Promote space technologies in non-space sectors such as agriculture, urban development, and rural development. Constitute an inter-departmental committee to define space-based solutions for governance and incentivize socio-economically beneficial downstream applications.

» IN-SPACE invites Expression of Interest (EOI) for Earth Observation Public-Private Partnership

The Indian National Space Promotion and Authorization Centre (IN-SPACE) has issued an EOI for establishing an Earth Observation (EO) system under a Public-Private Partnership (PPP) model. This initiative aims to enhance India's capabilities in Earth observation by leveraging private sector participation. The objective is to develop and deploy advanced EO systems through collaborative efforts between public entities and private industry, thereby strengthening India's geospatial data infrastructure.

[Read More](#)

Eligibility:

1. The participating entity, or in case of a consortium - the lead member as well as the consortium member, shall be under Indian Management and Control.
2. The participating entity or the lead member of the consortium shall either have manufacturing experience in the defense / aerospace/space sector for at least one year in India.
3. The Single party Respondent/ Lead member of the `Consortium should (i) have raised or invested at least ₹85.00 Crores in space-related activities; (₹42.50 Crores for Start-ups); or (ii) have a valuation ₹850 Crores or (iii) have a two-year average turnover of ₹200.00 Crores.

The last date for payment and registration for accessing the EOI document was November 26, 2024 and the last date for submission of responses is December 6, 2024.

» DoT amends Flight and Maritime Connectivity Rules, 2018 to allow for internet services in aircrafts

As per the **Flight and Maritime Connectivity Rules, 2018**, the Government mandates that IFMC providers offer mobile communication services only at a minimum altitude of 3,000 meters within Indian airspace, primarily to prevent interference with terrestrial networks. However, for internet services through Wi-Fi, the minimum altitude requirement was not explicitly stated. While the Rules required electronic devices to be in airplane mode for internet access, they did not directly specify whether altitude restrictions applied to Wi-Fi services.

By virtue of the Flight and Maritime Connectivity (Amendment) Rules, 2024, the DoT has now clarified that IFMC providers can offer in-flight Wi-Fi internet services as soon as passengers are permitted to use their electronic devices on the aircraft (e.g., after takeoff and before landing). [Read More](#)

» Standard Operating Procedure (SOP) for traceability of users of 'In Flight and Maritime Connectivity' (IFMC) services

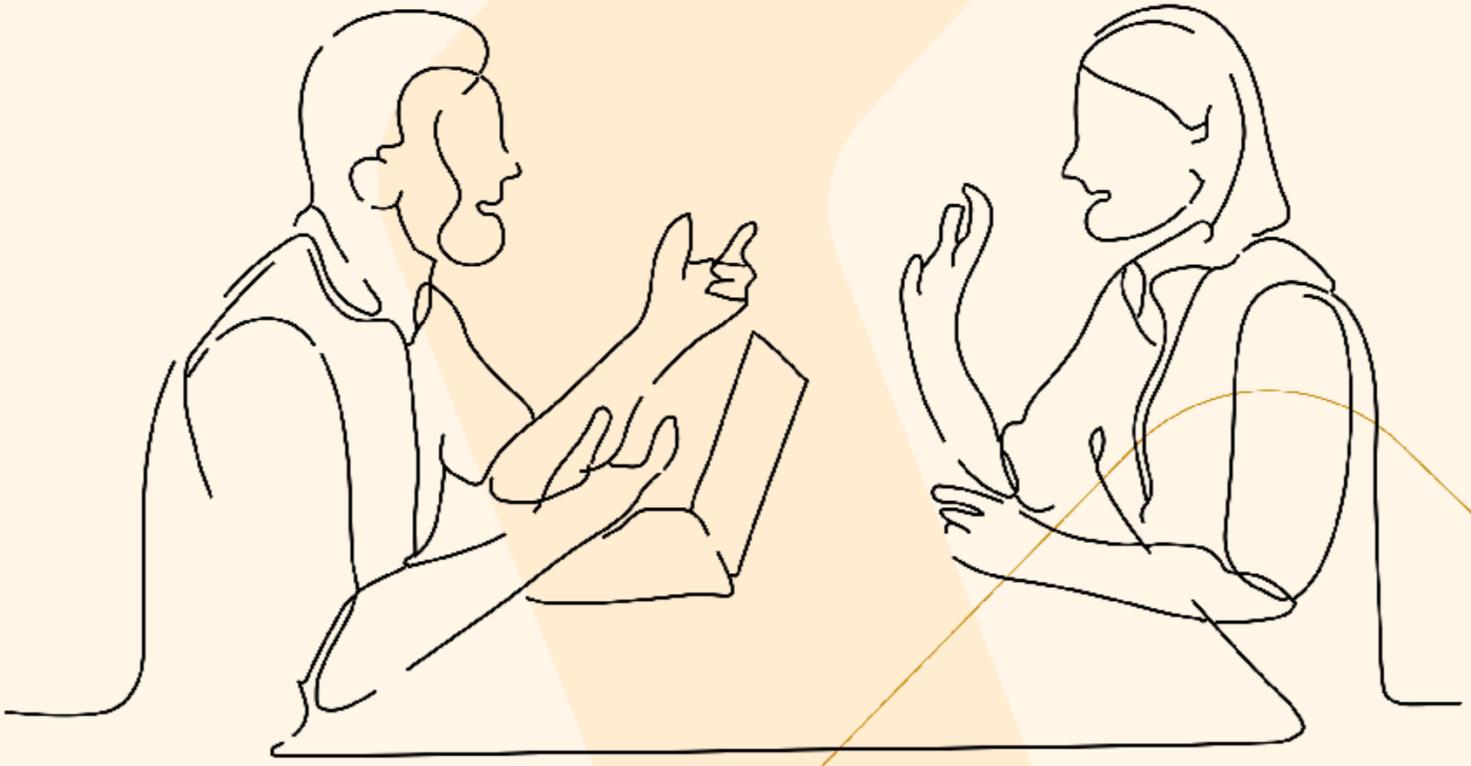
The SOP dated November 11, 2024, was released by the DoT to ensure traceability of users availing IFMC services under the Flight and Maritime Connectivity Rules, 2018. The SOP mandates IFMC service providers to authenticate passengers and crew using mobile applications or web portals. Domestic passengers must verify their credentials through OTP-based authentication using their mobile number, while international passengers and foreign travelers are required to input their PNR, passport number, and mobile number. Similar authentication is required for crew members, with Indian crew using OTP-based verification and foreign crew relying on passport-based authentication.

This SOP emphasizes data traceability, requiring service providers to collect and share detailed passenger and crew information with law enforcement agencies when requested. This includes PNR details, passport data, contact information, and travel dates for passengers, as well as professional and personal details for crew members. By standardizing user authentication and data-sharing protocols, the new SOP aims to enhance security while ensuring seamless compliance for service providers.

» **Indian national charged with conspiring to illegally export US aviation components to Russia**

The District of Oregon and the Bureau of Industry and Security indicted an Indian national, Sanjay Kaushik for conspiring to export controlled aviation components with dual civilian and military applications to end users in Russia, in violation of the Export Control Reform Act. As per the court documents, the goods were purchased under the false pretense that they would be supplied to Kaushik and his Indian company, when in fact they were destined for Russian end users. The accused purchased an Attitude Heading Reference System that requires a license from the Department of Commerce to be exported to certain countries, including Russia. To obtain this license, the accused and his co-conspirators falsely claimed that Kaushik's Indian company was the end purchaser and that the component would be used in a civilian helicopter. If convicted, the Indian national may face maximum penalties of 20 years in prison and up to a \$1 million for each count in the indictment. [Read More](#)

COMMERCIAL DISPUTE



COMMERCIAL DISPUTE

» Supreme Court Bars PSUs from Imposing Arbitrator Selection, Upholds Equal Treatment in Arbitration

The Supreme Court has ruled that public sector undertakings (PSUs) cannot require private contractors to select arbitrators only from panels curated by the PSUs. The court emphasized that arbitration must ensure equal treatment of both parties, including in the process of appointing arbitrators. It held that allowing one party, often a PSU, to unilaterally appoint or dictate the selection of arbitrators undermines the impartiality and independence of the arbitration process and violates constitutional principles of equality under Article 14. However, PSUs can maintain panels of arbitrators, provided the other party is not compelled to select solely from those panels. This decision aligns with earlier judgments that ruled unilateral appointments invalid, reinforcing that arbitration agreements must inspire confidence and uphold fairness. The ruling will apply prospectively to arbitration appointments made after this judgment.

[Central Organisation For Railway Electrification vs. m/s eci spic smo mcml \(jv\) a Joint Venture Company c.a. no. 009486 - 009487 / 2019](#)

» Supreme Court Reaffirms Foreign Arbitration Seat Principles, Dismisses Indian Jurisdiction in Dubai-Seated Arbitration

In a landmark judgment, the Supreme Court ruled that when an arbitration agreement designates a foreign court with non-exclusive jurisdiction and specifies a foreign governing law, the foreign court is the arbitration's "seat," barring Indian courts from intervention under Part I of the Arbitration & Conciliation Act, 1996. The Court clarified that the express designation of a "place" in the agreement anchors it as the juridical seat unless significant contrary indicators exist, shifting away from the "Closest Connection Test." Citing BALCO principles, the bench, led by CJI DY Chandrachud, emphasized that the "seat" determines exclusive jurisdiction, and Indian courts cannot assume supervisory powers in such cases. The decision, involving a Dubai-seated arbitration, underscores party autonomy in designating arbitration frameworks and curial laws.

[M/s Arif Azim Co. Ltd. Versus m/s Micromax Informatics fze, Arbitration Petition No. 31 of 2023](#)

» NCLAT: CoC Can Decide Liquidation Any Time Before Resolution Plan Confirmation Under IBC

The National Company Law Appellate Tribunal (NCLAT), New Delhi, upheld the commercial wisdom of the Committee of Creditors (CoC) to liquidate a corporate debtor any time after its constitution but before confirmation of a resolution plan under Section 33(2) of the Insolvency and Bankruptcy Code, 2016 (IBC). The bench, comprising Justice Ashok Bhushan, Barun Mitra, and Arun Baroka, clarified that liquidation need not be a last resort if justified by the circumstances.

[Sunil Surrendrakumar Kakkad Shareholder & Suspended Director Of Sujyot Infrastructure Pvt. Ltd. Versus Sujyot Infrastructure Pvt. Ltd. And Anr.](#)

» Supreme Court upholds IBC's overriding effect on SEZ Act: dismisses NSEZ's challenge to reduced claims

The Supreme Court dismissed the Noida Special Economic Zone's (NSEZ) plea against the NCLAT's approval of a resolution plan that granted ₹50 lakh against NSEZ's admitted claim of ₹6 crore, emphasizing that Section 238 of the Insolvency and Bankruptcy Code, 2016 (IBC), overrides conflicting provisions of the SEZ Act, 2005. The Court rejected claims of flawed valuation, stating the process adhered to IBBI regulations and was based on relevant material. Highlighting that the resolution plan had already been implemented, the Court upheld its validity, reinforcing the IBC's primacy and objective of expeditious and final resolution of insolvency disputes.

[Noida Special Economic Zone Authority Vs. Manish Agarwal & Ors.](#)

» Supreme Court Orders Liquidation of Jet Airways, Criticizes NCLAT for Flagrant Disregard of Legal Principles

The Supreme Court invoked its extraordinary powers under Article 142 to order the liquidation of Jet Airways, setting aside the NCLAT order that allowed the ownership transfer to the Jalan KalRock Consortium (JKC) despite non-payment of the full ₹350 crore first tranche under the resolution plan. The Court criticized the NCLAT's "flagrant disregard" of its earlier orders, noting that JKC failed to implement the plan, including infusing the required ₹4,783 crore. The ₹200 crore already invested by JKC was forfeited, and lenders can encash the ₹150 crore Performance Bank Guarantee. Observing that the resolution plan had become unworkable, the Court directed the NCLT to appoint a liquidator, prioritizing justice and timely resolution.

[Case: State Bank Of India And Ors. Versus The Consortium Of Mr. Murari Lal Jalan And Mr. Florian Fritsch And Anr.](#)

GAMING AND SPORTS



GAMING AND SPORTS

» CCI Orders Investigation Against Google Based on WinZO's Complaint

The Competition Commission of India (CCI) has ordered a detailed investigation into allegations raised by WinZO Games Pvt. Ltd. against Google LLC concerning its Play Store policies, advertising practices, and payment mechanisms for Real Money Games of Skill (RMG). The CCI has prima facie found Google to be in violation of Sections 4(2)(a)(i), 4(2)(b), and 4(2)(c) of the Competition Act, 2002, which deal with abuse of dominance through unfair conditions, denial of market access, and discriminatory practices. The CCI acknowledged Google's dominance in three key markets: 1) Market for licensable OS for smart mobile devices in India; 2) Market for app stores for Android smart mobile OS in India; 3) Market for online search advertising services in India. It was observed that:

1. Google's policies restricted RMG apps, including those hosted by WinZO, while allowing others like Daily Fantasy Sports (DFS) and Rummy. Google cited regulatory uncertainties, but the CCI noted that such restrictions create ambiguity and disadvantage for skill-based games, which are a valid business under Indian law.

2. Google's Pilot Program was found to favor certain apps (DFS and Rummy) over others, potentially creating an uneven competitive landscape. The indefinite extension of this program without clear justification was viewed as a violation of fair practices, requiring an investigation into its criteria and operational scope.

3. The selective allowance of advertisements for DFS and Rummy under Google Ads policies, while restricting others like WinZO, raised concerns of discriminatory practices. This was deemed a potential denial of market access and preferential treatment, impacting competition in violation of Sections 4(2)(a)(i) and 4(2)(c).

4. Google's warnings against sideloading RMG apps and its selective payment warnings for non-listed apps were flagged for investigation. However, the sideloading issue remains sub-judice before the Supreme Court, and no directive was issued on this matter.

The Director General (DG) has been tasked to conduct a thorough investigation into these allegations and submit a report within 60 days. This case marks a pivotal development in balancing the role of global digital platforms and ensuring equitable opportunities for Indian businesses in the gaming sector. [Read More](#)

» ASCI Report: Real Estate and Offshore Betting Ads Lead in Violations

The Advertising Standards Council of India (ASCI) has identified a surge in illegal betting and gambling advertisements across digital platforms, particularly on Instagram. In response, ASCI referred 890 such ads to the Ministry of Information and Broadcasting (MIB) for further action. Among these, 831 Instagram posts featured betting tickers directing users to offshore betting platforms. These promotions often appear on fan and community pages, with some page owners reportedly earning between ₹2,000 and ₹3,000 daily for displaying these logos. Additionally, ASCI identified 50 websites and social media pages, along with nine influencer posts, promoting illegal betting services. This trend underscores the necessity for ongoing vigilance and regulatory measures to curb the promotion of illegal gambling on digital platforms. ASCI is collaborating closely with MIB, resulting in the removal of many such pages. [Read More](#)

» SEBI Issues Advisory Against Unauthorized Virtual Trading Platforms

With reference to Press release date Aug 30, 2016—regarding Leagues/Schemes/Competitions involving distribution of prize monies, unauthorized electronic platforms, and dealing with unregistered investment advisers and research analysts—Securities and Exchange Board of India (SEBI) has issued an advisory that shares a similar context, it cautions the public against engaging with unauthorized virtual trading services, paper trading, or fantasy games based on stock price data of listed companies. SEBI observed that these activities violate the Securities Contract (Regulation) Act, 1956 and the SEBI Act, 1992, and that certain apps and platforms offer schemes involving virtual trading or fantasy games using stock price data, often involving prize distribution. Such platforms are not registered with SEBI and are operating outside the regulatory framework. The advisory warns investors that participation in these schemes carries risks, including potential misuse of confidential and personal trading data and legal recourse under SEBI's grievance redressal mechanisms, such as SCORES, or dispute resolution systems like smartodr.in, will not be available. [Read More](#)

» PCB Considers Legal Action Against BCCI Over ICC Champions Trophy 2025 Dispute

The Pakistan Cricket Board (PCB) has confirmed that the International Cricket Council (ICC) has conveyed the Board of Control for Cricket in India's (BCCI) decision not to travel to Pakistan for the ICC Champions Trophy 2025. The BCCI cited the lack of government clearance due to security concerns as the reason for not participating in Pakistan. In response, the PCB is reportedly considering approaching the ICC Dispute Resolution Committee. When drawing parallels to the 2018 complaint where the PCB was fined \$2 million for lacking a strong case, it now believes the situation is different, it argues that when Pakistan was awarded hosting rights in 2021, there were no conditions regarding India's participation, and the BCCI did not raise objections in ICC board meetings from 2021 to 2024. It also expressed concerns about potential financial losses, with significant investments already made in upgrading venues in Lahore, Karachi, and Rawalpindi. A similar standoff occurred during the 2023 Asia Cup, leading to a hybrid hosting model, but the PCB has firmly opposed such an arrangement for the Champions Trophy. [Read More](#)

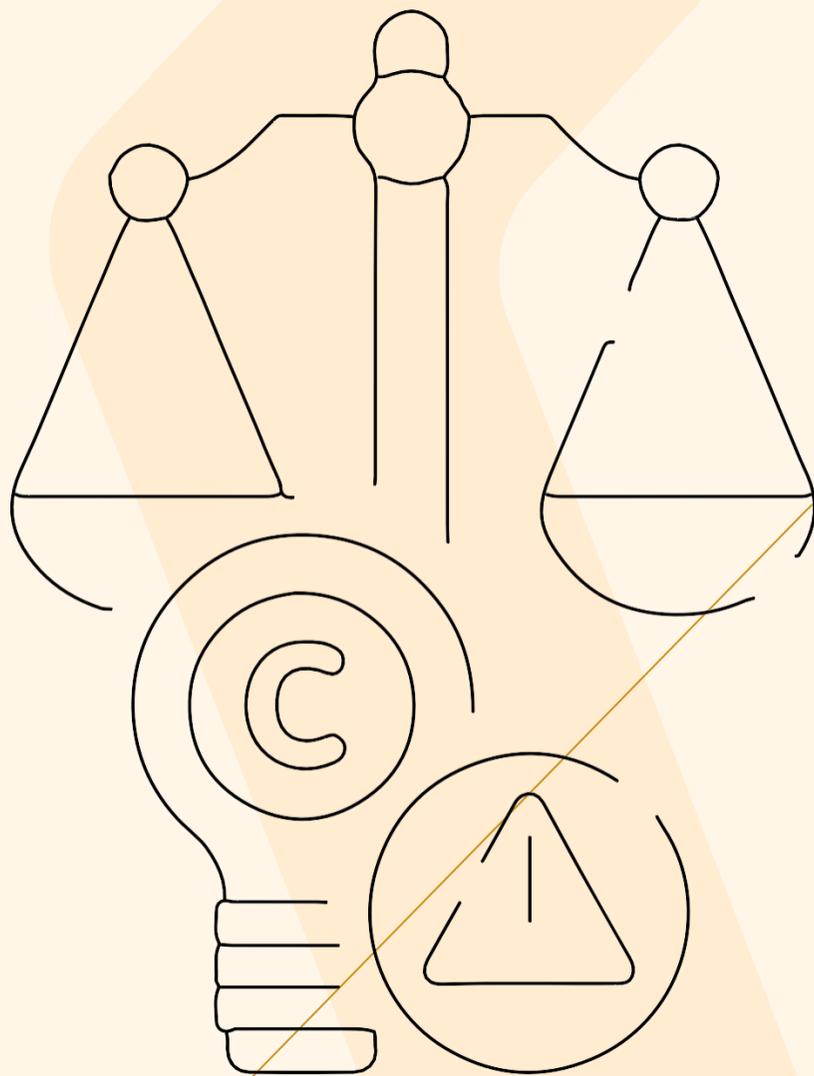
» Imane Khelif Initiates Legal Action Over Gender Allegations

Algerian boxer Imane Khelif, who secured a gold medal in the women's welterweight division at the Paris 2024 Olympics, is initiating legal action in response to media reports alleging she possesses male XY chromosomes. These reports, based on purportedly leaked medical documents, have reignited controversy regarding her eligibility to compete in women's boxing categories. The International Olympic Committee has acknowledged Khelif's legal steps, stating "all the athletes who participated in the boxing tournament at the Olympic Games Paris 2024 complied with the competition's eligibility and entry regulations, together with all the applicable medical regulations enacted by the Paris 2024 Boxing Unit (PBU). As with previous Olympic boxing competitions, the gender and age of the athletes were based on their passport details." It added: "We understand that Imane Khelif has taken legal action against individuals who commented on her situation during the Olympic Games Paris 2024 and is also preparing a lawsuit in response to the latest reporting. The IOC will not comment while legal action is ongoing, or on media reports about unverified documents whose origin cannot be confirmed." [Read More](#)

» Premier League Clubs Approve Amendments to APT Rules Amid Opposition

Premier League clubs have approved significant changes to the Associated Party Transaction (APT) rules, aiming to ensure that financial dealings with associated entities reflect fair market value. The decision, made during a meeting in London, saw Manchester City, Aston Villa, Newcastle United, and Nottingham Forest voting against the alterations. Manchester City had previously challenged the APT system, leading to a tribunal ruling in October that declared some aspects of the rules unlawful. Despite City's objections and calls for postponement until further tribunal guidance, 16 clubs supported immediate amendments. The revised rules now integrate shareholder loans into the APT framework, requiring fair market value assessments. If a loan fails to meet FMV standards, clubs benefiting from overly favorable shareholder loans now face scrutiny and possible repayment demands if loans are undervalued. Transitional provisions will address historical loans dating back to December 14, 2021. The Premier League emphasized that the changes aim to safeguard financial stability, integrity, and competitive balance. These updates resolve legal vulnerabilities highlighted by the tribunal while maintaining the broader framework. [Read More](#)

INTELLECTUAL PROPERTY RIGHTS



» **Delhi High Court Clarifies Service Obligations in Trade Mark Opposition Proceedings:**

The Delhi High Court (**Court**) accepted a review application filed by the Intellectual Property Attorneys' Association against its earlier judgment in Sun Pharma v. Dabur India. The Court clarified that its initial observations had inadvertently misinterpreted the terms "counter-statement" and "evidence." It reaffirmed that, under Section 21 of the Trade Marks Act, 1999, the obligation to serve a counter-statement in trade mark opposition proceedings lies with the Registrar, not the applicant. However, the Court upheld that the service of evidence under Rule 50 of the 2002 Rules and Rule 45 of the 2017 Rules must be carried out directly by the respective parties.

[Sun Pharma Laboratories Ltd v. Dabur India Ltd. & Anr.](#)

» **WIPO releases World Intellectual Property Indicators 2024**

India has emerged as a global leader in intellectual property (**IP**), ranking among the top 10 countries for Patents, Trade Marks, and industrial designs, as highlighted in WIPO's World Intellectual Property Indicators (**WIPI**) 2024. In 2023, India achieved a remarkable 15.7% growth in Patent applications, the highest among the top 20 origins, filing 64,480 applications with resident filings, surpassing 55% for the first time. Industrial design applications surged by 36.4%, driven by sectors like textiles, tools, and health, while trade mark filings grew by 6.1%, securing India the fourth global rank, with 90% of filings coming from residents.

India's IP ecosystem has witnessed transformative growth, with patent and design filings doubling and trade mark filings increasing by 60% between 2018 and 2023. The country's patent-to-GDP ratio climbed from 144 to 381 over the past decade, underscoring the impact of innovation-focused government initiatives. With over 3.2 million active trade marks, India holds the second-largest global portfolio, reflecting its expanding role in global IP leadership.

[World Intellectual Property Indicators 2024](#)

[Press Release, Ministry of Commerce and Industry \(Nov. 12, 2024\)](#)

» **"Fortis" Trademark allowed to be auctioned in Daiichi-Ranbaxy Dispute**

The Delhi High Court has ordered the auction of the Fortis trademark to enforce a ₹3,500 crore arbitral award granted to Daiichi Sankyo against ex-Ranbaxy promoters Malvinder and Shivinder Singh. Justice Sachin Datta passed the order following Daiichi's application for the sale of the trade mark, held by RHC Healthcare Management Services, a judgment debtor. The case stems from a 2016 Singapore tribunal ruling favouring Daiichi, which was affirmed by the High Court under a judgment delivered in 2018. In the present order, the Court noted that the joint and several liability of the judgment debtors as on date, which were around Rs 4,900 crore, were barely recovered, owing to which the decree holder requested to auction the trade mark 'FORTIS'. While the judgment debtor argued for appointing an auditor for valuing the trade mark, the Court rejected the said request, stressing on the sale price through public auction to bring out the natural price of the trade mark, as appointment of an auditor would delay the process.

[Daiichi Sankyo Company Limited vs. Malvinder Mohan Singh & Ors., Ex.Appl.\(OS\) 31/2020 \(Delhi High Court\)](#)

» Permanent Injunction in Favour of Radio Mirchi for infringement of its Trade Marks and Copyright

The Delhi High Court (**Court**) recently issued a permanent injunction in favour of Entertainment Network (India) Ltd. against the Defendants in reference to its copyright in sound recordings and artistic works and registered trade marks, being “Sunday Suspense”, “Mirchi” and “Radio Mirchi”. The case stemmed from the multiple Defendants’ unlawful and unauthorized broadcasting of the Plaintiff’s audio content on digital platforms without authorisation through rogue websites and apps. Recognising the potential damage to the rights of the Plaintiff, the Court, on December 22, 2022, had issued an interim injunction, directing the intermediary platforms to take down the infringing URLs. Subsequently, due to the said Defendants’ failure to file written statements or contest the suit within the prescribed time, the Court invoked Order VIII Rule 10 of the CPC, thereby issuing a permanent injunction restraining the Defendants from broadcasting/ transmitting/ communicating its copyrighted content on any webpage, app or intermediary platform or using the trade marks abovementioned.

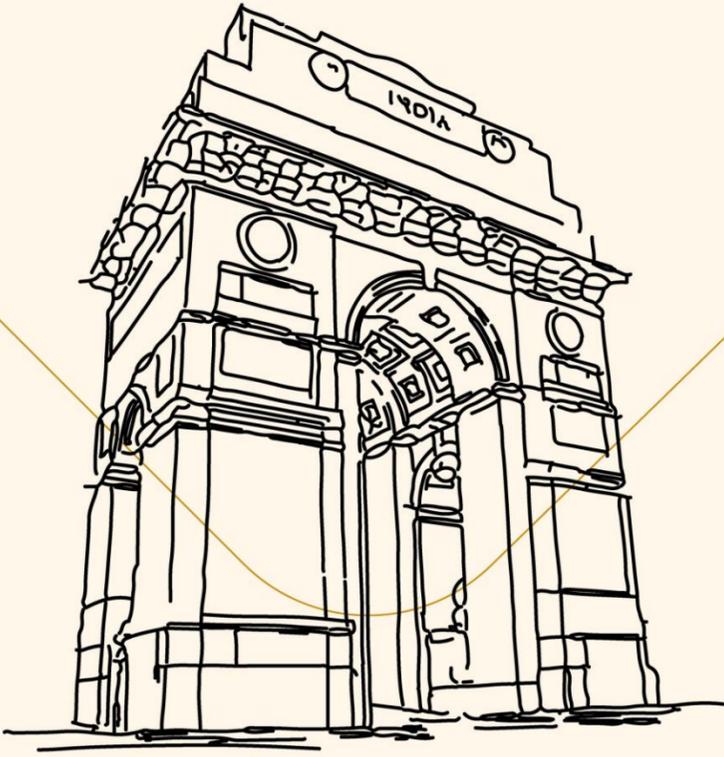
[Entertainment Network \(India\) Limited vs. HttpsTuneincom](#)

» WIPO Member States Approve Riyadh Design Law Treaty

On November 22, 2024, WIPO member states adopted the Riyadh Design Law Treaty (**Treaty**), a landmark agreement simplifying and harmonizing global design protection. Named after Riyadh, which hosted the final negotiations, the Treaty marks a transformative step for designers worldwide, offering streamlined, cost-effective processes and greater international collaboration.

WIPO Director General Daren Tang hailed the Treaty as a milestone in multilateralism and innovation, emphasizing its benefits for designers, especially smaller scale designers and micro, small and medium-sized enterprises (**SMEs**). The Treaty sets a predictable framework for design applications, introduces flexible filing options, and supports the protection of traditional knowledge.

[WIPO Member States Adopt Riyadh Design Law Treaty](#)



**C-2/34,
SAFDARJUNG
DEVELOPMENT AREA,
NEW DELHI - 110016**



**603, THE COWORKING
SPACE, C-26, 2ND FLOOR,
MATULYA CENTRE,
LOWER PAREL WEST,
MUMBAI - 400013**



+91 (11) 2651 2813



+91 (11) 4168 2996



INFO@TMTLAW.CO.IN

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