

# A Landmark First for Indian Trademark Law

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We are proud to share that the Trade Marks Registry of India has, for the first time, accepted an olfactory (smell) mark for advertisement — “Floral Fragrance / Smell Reminiscent of Roses as Applied to Tyres”, filed by Sumitomo Rubber Industries as the applicant.

Given the novelty and technical complexity of the matter, particularly the challenge of graphically representing a scent, the Registry appointed Mr. Pravin Anand as *amicus curiae*. Drawing on decades of trademark expertise, he assisted the Registry with comparative jurisprudence, legal analysis, and the scientific approach required for assessing an olfactory mark. This marks a historic step in the evolution of non-traditional trademarks in India.

Under his guidance, a seven-dimensional scientific graphical representation of the rose-like scent was developed by experts at IIIT Allahabad a pioneering innovation that enabled compliance with the statutory requirement of graphical representation.

This order is a true milestone:

India's first acceptance of a smell mark, opening the door to a new era of non-traditional trademarks and signalling a progressive shift in Indian IP jurisprudence.

For a deeper exploration of the science, art and legal principles behind smell marks, we are pleased to share Mr. Anand's paper:

■ **Science, Art and Law Relating to Smell**

<https://apaaonline.org/article/science-art-and-law-relating-to-smell>

[https://www.anandandanand.com/wp-content/uploads/2025/11/Smell-mark-Order-Signed-by-CG\\_PDTM.pdf](https://www.anandandanand.com/wp-content/uploads/2025/11/Smell-mark-Order-Signed-by-CG_PDTM.pdf)

## KEY CONTACT



**Pravin Anand**  
Managing Partner  
[View Bio of Pravin Anand](#)

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