

Overview

Competition Law in India

Though intellectual property and competition laws pursue parallel goals of encouraging innovation and accelerating economic growth, they strive very differently to achieve the same – the intellectual property regime being predicated primarily on exclusion while competition laws aim to control and curb monopolistic tendencies.

NAVIGATING THE BALANCE BETWEEN IP & COMPETITION LAW

Competition authorities are known to take exception to unreasonable exercises of intellectual property protection, but competition trip ups can even be inadvertent. Over-enthusiastic communication about "dominating the market" can ring regulators' alarm bells; a poor choice of words rendering suspect what is otherwise perfectly legal behaviour. Business practices followed for years are increasingly coming under regulatory scrutiny and fines can be punishing, forcing companies to reconsider their corporate structures and strategies and the impact on their intellectual property rights.

ANTI-COMPETITIVE CONDUCT & IP LICENSING

Though reasonable conditions imposing restrictions are generally not impermissible, competition authorities and courts may take into account several factors when assessing if an entity is indulging in anti-competitive activity, not least its position and market share and agreements with others. Given

that intellectual property protection in patents, frequently the subject matter of competition law disputes, is limited in duration, certain 'fair use' is permitted and availability of compulsory licensing should go some way in assuaging concerns.

INDUSTRY EXPERIENCE & REPRESENTATION

Our law firm has advised national and international telecommunications firms, engineering companies, e-commerce domains, construction equipment and automobile manufacturers, beverage companies and media associations under the scanner of competition laws.

COMPREHENSIVE COMPETITION LAW SERVICES

Our competition practice offers a broad range of services, including due diligence, drafting contracts and advising on non-compete clauses, representing clients before competition forums and courts and filing leniency applications. Our attorneys also advise on competition concerns at mergers and acquisitions, and for licensing and franchising agreements.

PARTNER WITH EXPERIENCED COMPETITION LAWYERS IN INDIA

Whether your business is facing an antitrust investigation, planning a merger, or seeking proactive compliance advice, Anand & Anand's experienced competition lawyers can guide you through every stage. Contact our firm to ensure your business strategies remain competitive, compliant, and aligned with India's evolving competition law framework.

RELATED INDUSTRIES

CONTRACTUAL AND COMMERCIAL IP

OUR PRACTICES

COPYRIGHT
CORPORATE
DESIGN
LITIGATION
PATENTS
TRADEMARK

Related News & Insights

VIEW ALL

News & Updates, Thought Leadership • November 21, 2026

Who Owns India's IP Data? Commercial Scraping and Copyright Protection

Patent applications, trademark registrations, design records and intellectual property judgments form an important part of India's public IP infrastructure.

News & Updates, Thought Leadership • November 18, 2026

Can Foreign Copyright Owners Sue Indian Broadcasters Abroad? The Territorial Reach of Copyright Disputes

A few seconds of weather footage broadcast in New Delhi ended up at the center of a federal copyright lawsuit in California. A news broadcaster based in

---

News & Updates, Thought Leadership • November 14, 2026

Can AI Training be Copyright Infringement? The ANI v. OpenAI Dispute in India

Generative artificial intelligence systems are trained on large volumes of information, including text, images, news articles and other digital material.

News & Updates, Thought Leadership • November 11, 2026

Can You Patent the Look of an App? GUI and Icon Protection in India

Think about the apps you use every day. Their visual identity is often the first thing you recognise: the arrangement of icons, navigation menus, buttons,

---