Well-known Marks and Recognising Transnational Reputation

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An article by Swati Sharma looking at the weight attributed by Indian courts to well-known trademarks and those imbibing trans-border reputations in determining prior users. India is one of the world's fastest-growing economies, a nation hungry for development and opportunity. It has sound enforcement mechanisms, a progressive judiciary and a political will to do away with archaic laws. More significantly for rights holders, the Indian judicial system respects and upholds the rights of prior trademark users anywhere in the world. Some recent decisions involving the concepts of well-known marks and trans-border reputation serve to highlight the dynamism of the Indian courts. *This article was published in Managing the IP Lifecycle: India 2015/2016.* Read more

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