Fighting it Out

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Pravin Anand and Nishchal Anand evaluate IP dispute resolution processes in India. Litigation has proven to be the most effective tool to combat trademark and copyright infringement in India. In fact, matters of counterfeiting and piracy often result in a settlement pursuant to the IP owner filing a lawsuit for infringement and obtaining an ex parte ad interim injunction along with an Anton Piller order, i.e. a direction to enter the defendant's premises and search and seizure infringing goods. Contentious matters may not et settled as easily. However, India's courts have developed rich jurisprudence in this field, which has resulted in parties being able to estimate somewhat accurately their chances of success. *This article was published in India Business Law Journal October 2014.* Read more

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