



Legal Network International

IP and trade mark news – November 2025

A monthly update on global IP and trademark news from the member firms of the Legal Network International (LNI).



India

ITC Group of Hotels, one of India's leading Group of Hotels, filed a trademark infringement suit before the Delhi High Court against "Bhukara Inn", a family-run inn operated by the Bukhari family, alleging infringement of its trademark associated with the globally renowned restaurant "Bukhara," launched in the late 1970's. The Defendants invoked the defence under Section 35 of the Trade Marks Act, 1999, which provides protection for the bona fide use of a person's own name. However, the Hon'ble Court rejected this defence on the ground that the establishment was named "Bukhara" and not "Bukhari." Additionally, finding sufficient prima facie evidence in favour of the Plaintiff, the Hon'ble Court granted an ad-interim injunction in favour of the Plaintiff.



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France

In a decision dated October 15, 2025, the French Supreme Court held that the interviewee may qualify as a co-author only if they contribute to this originality, such as by participating in the design, preparation, direction, or specific expressive form of the interview.

Simply answering questions without influencing the content or order is insufficient.

In the case at hand, the court confirmed that the interviewee played no creative role, so co-authorship was excluded. The researcher therefore remained the sole author of the interviews that the production company had used without authorization.

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Mexico

The Nayarit Ministry of Economy has begun official discussions with Wixárika (Huichol) artisans with the purpose of obtaining a designation of origin for traditional art, a legal status that would protect ancestral designs from plagiarism and commercial exploitation, which have been on the rise in recent years.

The project is part of a broader strategy by the State Government to promote elements of productive and cultural protection. This initiative addresses the growing misappropriation of traditional patterns, symbols, and techniques by commercial brands, intermediaries, and even artisans who do not belong to the culture. IMPI has published various communications that mention that this type of plagiarism ranges from textiles to works of art, which has a direct economic and cultural impact on these communities.

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