

7,49,046

UP 20% YTD

1,10,375

UP 19.2%

61.8%

UP FROM 55.5%

407

UP FROM 20

10 Days

UP FROM 20

LEAD STORY | INDIA | REGULATORY

DIGITAL & COPYRIGHT

MeitY's IT Amendment Rules 2026: India Becomes First Country to Mandate Synthetic Media Labelling and Compressed Takedowns

Notified on 10 February and in force from 20 February 2026, the amendments to the IT Rules formally define and regulate synthetically generated information including deepfakes, slashing takedown windows from 36 hours to 2 hours and imposing proactive verification duties on platforms.

The Ministry of Electronics and Information Technology on 10 February 2026 notified the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Amendment Rules, 2026, inserting Rule 2(A) to define 'synthetically generated information' (SGI) as audio, visual, or audio-visual content that is artificially or algorithmically created, generated, modified or altered so as to appear indistinguishable from a natural person or real-world event.

The rules came into force on 20 February 2026, giving existing intermediaries a 10-day window to deploy automated detection tools, implement mandatory labelling infrastructure, and review content moderation workflows.

The final notification narrows the October 2025 draft rules in important respects. Routine editing, accessibility transformations, and good-faith creation of presentations, educational materials, research outputs, and PDFs are expressly excluded, so long as they do not result in false documents or materially misleading content.

The rules replace the existing 36-hour takedown window with a 3-hour window for court or government-directed removals. For non-judicial intimate imagery and deepfake pornography involving morphed or fabricated images, the window is further reduced to 2 hours.

All digital platforms and intermediaries operating in India must now: (1) label SGI prominently before publication; (2) embed provenance metadata; (3) maintain compressed takedown capabilities; (4) verify user SGI declarations. Safe harbour protection under Section 79 of the IT Act is preserved for compliant removals.

Non-compliance risks loss of safe harbour entirely.

"Regulation has moved, ahead of time, but implementation will be a marathon, not a sprint."

REGULATORY ANALYSIS, BARCELONA, FEBRUARY 2024

MEITY IT RULES 2026: REVISED TAKEDOWN TIMELINES (HOURS)

Before (Blue) After (Red)

Court-Ordered

CSM/Deepfakes/Intimate

Intimate/CSM

Source: MeitY, C.S.A. (2022), PwC India 2024 Copyright, Nippon IP

IP INTERSECTION: PERSONALITY RIGHTS

The SGI framework supplements India's evolving personality rights doctrine (Anil Kapoor, Anubhav Bachchan cases) by creating an administrative enforcement route alongside civil court remedies.

AI-generated deepfakes of brand ambassadors or individuals may now be reached both through personality rights injunctions and platform takedown obligations.

Copyright questions over AI-generated outputs remain unresolved in Indian legislation.

KEY DEFINITIONS UNDER SGI FRAMEWORK

SGI: Audio, visual, or audio-visual content artificially or algorithmically created to appear indistinguishable from a real person or event. AI-generated text is excluded.

SSMI: Significant Social Media Intermediary with over 5 million registered users in India.

Takedown window: Govt./36 hrs reduced to 2 hrs.

Deepfake nudity/CSAM: 24 hrs reduced to 2 hrs.

Grievance acknowledgement: 24 hrs (unchanged).

LEAD STORY | INDIA | TRADEMARK

TRADEMARK

Lotus Herbals Wins Injunction Against Deepika Padukone's 82 Degrees E Over 'Lotus Splash' Mark

In a significant trade dress ruling, the Delhi High Court overturned a single judge order and granted a temporary injunction against the celebrity-founded brand 82 Degrees E, holding 'Lotus Splash' deceptively similar to Lotus Herbals' established mark.

The Division Bench of the Delhi High Court overturned a single judge's order that had refused an interim injunction to Lotus Herbals Private Limited against the use of the mark 'Lotus Splash' on face-cleansing products by Dpka Universal Consumer Ventures, the entity behind actress Deepika Padukone's skincare brand '82 Degrees E'.

The respondents argued that their use of 'Lotus Splash' was a mere description of lotus extract as an ingredient, relying on Sections 30(2)(a) and 35 of the Trade Marks Act 1999 (descriptive use defence). The Division Bench rejected this, noting two key facts: (a) that 82 Degrees E had itself registered similar compound phrases such as 'Turmeric Shield' and 'Ashwagandha Bounce' as trademarks in its own name, indicating commercial awareness of the trademark significance of such phrases; and (b) that Lotus Herbals was first in the market to associate the phrase 'Lotus Splash' with a cosmetic product.

"That 82 Degrees E had registered 'Turmeric Shield' and 'Ashwagandha Bounce' as its own marks factually undermines the argument that 'Lotus Splash' was merely descriptive."

REGULATORY ANALYSIS, BARCELONA, FEBRUARY 2024

TRADEMARK

CHACHA Found Trademark by Delhi HC Reverses Generic Word Finding

CHACHA SAREE BAZAR PVT LTD V. CHACHA CLOTH HOUSE (DELHI HC) 12 FEBRUARY 2024

Chacha Saree Bazar Pvt Ltd appealed a District Judge (Commercial Court) order that had denied interim injunction on the ground that 'Chacha' is a generic, common expression. The Delhi High Court allowed the appeal. The Court held that the lower court erred on principle by examining 'Chacha' in isolation rather than as a whole alongside the goods and services. The Court found that 'CHACHA' is distinctive when used in connection with the sale of sarees and garments, and granted the injunction restraining Chacha Cloth House from using confusingly similar labels and logos.

TRADEMARK

OSWAAL BOOKS' Injunction Upheld by Delhi HC Division Bench

OSWAAL BOOKS V. HIGOLD TRADE MARKS (DELHI HC DB) 10 FEBRUARY 2024

Oswaal Books and Learnings Pvt Ltd sought registration of 'ONE FOR ALL' for its educational publications. The Registrar refused, and the Single Judge affirmed, holding that words of ordinary English usage cannot be monopolised. The Division Bench overturned both orders, holding that 'ONE FOR ALL' is suggestive rather than descriptive, is not a common phrase in everyday trade usage, and satisfies the statutory requirements for registration.

TRADEMARK

KRBL's 'India Gate' Gets Permanent Injunction Against Patiala House Defendants

KRBL LIMITED V. RAJESH CHANDRA PAUL (DELHI DISTRICT COURT (PATIALA HOUSE)) 12 FEBRUARY 2024

KRBL Limited, owner of the 'India Gate' rice brand since 1993, obtained an ex-parte permanent injunction against defendants who had applied for registration of 'India Gate with Device of India Gate' in relation to rice. The Court found trademark infringement and dilution through unfair and unethical trade practices.

INDIA CASE LAW | 15-25 FEBRUARY 2024

CASE / COURT TYPE DATE KEY HOLDING AND SIGNIFICANCE

Saregama India v. Ilayaraja (COPYRIGHT) 12 Feb 2026 Saregama sued celebrated composer Ilayaraja for granting unauthorised licences to Amazon Music, iTunes etc for sound recordings and musical works used for assignment agreements with film producers.

Formax Technology v. Registrar of Copyrights (COPYRIGHT) 11 Feb 2026 Court set aside the Registrar's rejection of a copyright application. Registrar had failed to properly distinguish between a 'person interested' (application stage, Sections 43 and Rule 79) and a 'person aggrieved' (post-registration, Section 60). Additionally, the Registrar relied on electronic evidence (promotional material) without giving the applicant an opportunity to rebut it, violating natural justice. Matter remanded for fresh consideration.

Canva Pty v. KizVim Health Systems (PATENT) Feb 2026 Delhi HC upheld an interim injunction against Canva over its 'Present and Record' feature, affirming a strong prima facie case of infringement (in favour of KizVim) and noting heavy reliance on claim construction and the doctrine of equivalents. The Court notably sidesteps the Section 38k challenge raised by Canva and instead relies on the statutory presumption of validity of KizVim's granted patent. Significant for software patent holders facing infringement by large tech companies.

State v. Pradip Gupta and Ors. (COPYRIGHT) 16 Feb 2026 Accused charged with possessing and selling counterfeit 'Bosch' products under Section 68, Copyright Act. Prosecution failed to identify seized case property at trial because packaging had deteriorated due to passage of time. Court acquitted both accused, holding that evidence was insufficient to establish guilt beyond reasonable doubt. Reminder of the importance of proper evidence preservation in IP criminal enforcement.

CGPDTM v. IP Manthan (DESIGN) 26 Feb 2026 CGPDTM hosted an IP Manthan knowledge-sharing session on 'Designs Filing and Examination in the EU and India', part of ongoing bilateral exchange about India's expected filing and examination in the EU. India's design filings surged over 400% in FY2024-25