**India:**

**GROUP SUMMARY REPORT**

<table>
<tr><td>Developments</td><td>
<ul>
<li>Trade Marks Act: No amendments have been made to the statutory provisions of the Trade Marks Act, 1999.</li>
<li>Non-traditional marks: In November 2025, India accepted Sumitomo Rubber Industries' smell-mark application for a rose-like fragrance applied to vehicle tyres, reflecting growing recognition of non-visual marks.</li>
<li>Opposition disposal drive: In August 2026, the Trade Marks Registry announced a Special Disposal Drive for pending opposition matters, encouraging settlement or withdrawal to reduce the backlog.</li>
<li>Examination and search technology: The Registry has adopted consolidated examination reports in appropriate cases and technology-assisted examination. An upgraded public trademark search portal launched in July 2026 with an updated interface, OTP authentication and enhanced AI/ML-supported search functionality.</li>
<li>Jan Sunwai and helpdesk: The IP Office strengthened grievance redressal through Daily Open House Conferences (Jan Sunwai) and an Open House IT Helpdesk; the detailed report records a disposal rate of over 95%.</li>
<li>WIPO mediation pilot: In April 2026, CGPDTM and WIPO launched Bauddhik Samadhan Setu, a voluntary online mediation program for pending trademark opposition disputes.</li>
<li>Relocation of the well-known Trademarks office: The Well-Known Trade Marks office was relocated from Mumbai to New Delhi in February 2026.</li>
<li>Stamp Duty: CGPDTM published state-wise indicative stamp-duty guidance for powers of attorney.</li>
<li>Mandatory e-KYC: Mandatory electronic KYC for IP attorneys accessing IP India online filing systems was introduced in July 2026.</li>
<li>New public trademark search portal: In July 2026, the existing public search platform for trademarks was decommissioned and trademark search operations were migrated to an upgraded search portal.</li>
<li>Draft Manual: A revised Draft Manual of Trade Marks Practice and Procedure was published in August 2026 for stakeholder comments, including proposed guidance on examination practice and non-traditional marks.</li>
<li>Draft amendment rules: DPIIT published the Draft Trade Marks (Amendment) Rules, 2025 in October 2025, proposing a Code of Conduct and a disciplinary mechanism for Trade Marks agents and attorneys. The proposals had not been notified as final Rules during the reporting period.</li>
</ul>
</td></tr>
<tr><td>Statistics</td><td>
<table>
<tr><th>Year</th><th>Number of New Applications</th><th>Average timeframe from filing up to registration (months)</th></tr>
<tr><td>2024</td><td>5,52,190</td><td>More than 2 years</td></tr>
<tr><td>2025</td><td>FY 2025–26 Annual Report not yet published</td><td>Approximately 18 months</td></tr>
</table>
<br>*) Specific reason for increase/decrease, if any: The increase in trademark applications appears to reflect continued growth in brand creation and business expansion in India, alongside greater awareness of intellectual property protection and the increasing accessibility of trademark filing through digital platforms. The Government has also undertaken initiatives to promote IP awareness among startups, MSMEs etc.
</td></tr>
</table>

| | |
|---|---|
| | **) Other comments, if any: Timeframes provided from filing up to registration are approximate estimates but are not guaranteed due to backlog at the Trademark Registry. |
| Cases | **Black Diamond Motors Pvt. Ltd. v. Registrar of Trade Marks, Mumbai & Anr. (2026: BHC-OS:13254; Bombay High Court, 17 June 2026)**<br><br>The Bombay High Court held that the Rule 45 deadline for filing evidence in rectification proceedings is directory rather than mandatory, and that the Registrar may extend time under Section 131 where appropriate. The decision is under challenge before the Supreme Court, which has issued notice and stayed the rectification proceedings pending further proceedings.<br><br>**Hindware Ltd. v. Grohe India Pvt. Ltd. & Ors. (2026 SCC OnLine Del 3913; Delhi High Court, 22 May 2026)**<br><br>Hindware brought proceedings after discovering that CERA and Grohe had used HINDWARE and related terms as Google AdWords keywords, causing competing websites to appear in sponsored search results. After settlements with the competing businesses, the dispute proceeded against Google. The Single Judge held that Google's use of the mark as a paid keyword infringed Section 29(8) of the Trade Marks Act, rejected the intermediary defense under Section 79 of the Information Technology Act, and ordered Google India and Google LLC to pay ₹30 lakh in nominal damages and actual costs. Google's appeal remained pending as of the latest update in the detailed report.<br><br>**Toyota Jidosha Kabushiki Kaisha v. Tech Square Engineering Pvt. Ltd. & Anr. (LPA 176/2023 and connected matters; Delhi High Court, 4 May 2026)**<br><br>The Division Bench upheld Toyota's claim to trans-border reputation in ALPHARD despite the absence of a formal commercial launch in India. It held that recognition among the relevant specialist consumer segment could suffice for high-value luxury automobiles and directed removal of the respondent's registrations for ALPHARD in Classes 9, 12 and 27. |