ASIAN PATENT ATTORNEYS ASSOCIATION
ANTI-COUNTERFEITING COMMITTEE

COUNTRY REPORT – PAKISTAN GROUP
Developments reviewed up to 30th October 2026

I. IMPORTANT LEGISLATIVE AND REGULATORY DEVELOPMENTS

1. Copyright (Amendment) Bill, 2026 (not yet operative law)

The Copyright (Amendment) Bill, 2026 was introduced in the National Assembly on 9 March 2026 with the objective of modernising the Copyright Ordinance, 1962, which has not undergone substantial legislative reform since 2000. The proposed amendments seek to address developments in digital technology, strengthen copyright enforcement and bring Pakistan's copyright framework into closer alignment with international standards.

The principal proposed reforms include the following:

(a) Strengthening Protection Against Digital Copyright Infringement

The Bill seeks to address the unauthorised reproduction, uploading, sharing and broadcasting of copyrighted works through the internet, social media and other digital platforms. The existing legislation was principally developed before the widespread commercial use of these technologies.

The proposed reforms are intended to strengthen the legal framework for protecting copyrighted content in digital environments. This is particularly significant for rights holders affected by online piracy, including the unauthorised distribution of films, music, literary works, software and other protected material.

(b) Introduction of Minimum Criminal Penalties

Another significant proposed reform is the introduction of minimum penalties for copyright offences. The objective is to strengthen deterrence against infringement by establishing minimum sentencing requirements rather than relying solely upon existing penalty provisions.

For copyright owners, this would potentially strengthen criminal enforcement against commercial piracy and the unauthorised reproduction and distribution of protected works. The precise minimum sentences and fines will depend on the final legislative text.

(c) Regulation of Collective Management Organisations and Royalty Distribution

The Bill proposes strengthening the framework governing Performing Rights Societies, also referred to as Collective Management Organisations (CMOs).

The proposed changes are intended to improve transparency and accountability in the collection and distribution of copyright royalties and ensure that copyright owners receive fair and transparent payments for the commercial exploitation of their works.

These reforms are particularly relevant to the music, broadcasting and entertainment industries, where the administration and distribution of royalties have considerable commercial significance.

(d) Alignment with International Copyright Treaties

The Bill also seeks to bring Pakistan's copyright framework into closer alignment with international standards established under World Intellectual Property Organization (WIPO) treaties, particularly the Marrakesh Treaty and the WIPO Internet Treaties.

The proposed reforms are intended to address copyright protection and accessibility in the digital environment, together with exceptions facilitating access to published works for persons who are blind, visually impaired or otherwise print-disabled.

(e) Recognition of Electronic Documentation and Copyright Administration

The proposed amendments also contemplate the legal recognition and validation of electronic documents in copyright-related matters, together with the removal of existing legislative anomalies.

These changes are intended to facilitate copyright administration and improve the ability of rights holders and authorities to operate within an increasingly digital environment.

Legislative Status and Significance

On 3 July 2026, the National Assembly Standing Committee on Commerce recommended that the Bill be passed by the National Assembly following detailed scrutiny. During its deliberations, particular attention was given to the scope of copyright protection and exceptions relating to literary works used for educational purposes under Section 57 of the Copyright Ordinance, 1962.

As at 30 October 2026, the Bill has not been verified as having been enacted into law. Accordingly, the proposed amendments do not presently alter the applicable statutory provisions.

From an anti-counterfeiting and intellectual property enforcement perspective, the Bill represents a significant proposed reform, particularly in relation to digital piracy, criminal deterrence and the modernisation of copyright enforcement procedures. However, its relevance to physical counterfeit goods remains principally confined to cases involving the unauthorised reproduction of copyright-protected works, including artistic material appearing on products or packaging.

II. IMPORTANT JUDICIAL DEVELOPMENTS

1. Perfetti Van Melle Benelux v. Aamir Shahzad – 2026 LHC 3322 (Lahore High Court; 22 April 2026)

Facts and issue. The proprietor of the registered MENTOS trademark challenged a competitor's use of MINTOS for mint candies, alleging confusing similarity and passing off. The trial court had dismissed the claim. On appeal, the Lahore High Court considered the two signs' visual, phonetic and structural resemblance, the identical nature of the goods, and the role of the essential or dominant features of a mark.

Decision. The Court allowed the appeal, set aside the dismissal and granted a permanent injunction. It held that substitution of "I" for "E" was insufficient to prevent likely consumer confusion, particularly in light of the imperfect recollection of ordinary purchasers. It also rejected the proposition that a defendant's copyright registration could legitimise use infringing an earlier registered trademark. The appellant did not pursue damages or accounts on appeal.

Significance. The case is a recent, reported application of the dominant-feature and deceptive-similarity tests to look-alike consumer goods.

2. Humair Majeed trading as PTPL v. Zohair Naseer – 2026 SHC KHI 828 (Sindh High Court; 15 January 2026)

Facts and issue. The appellant sought an interim injunction in respect of the PTPL (Pakistan Tape Ball Premier League) mark, contending that the respondent's KTPL branding infringed its rights. The registration included disclaimers in relation to the separate letters constituting PTPL.

Decision. The Sindh High Court upheld refusal of interim relief because the appellant had not established a prima facie likelihood of deceptive similarity or confusion. Exclusive rights in a registered composite mark did not give the registrant a monopoly over disclaimed, descriptive or generic components when considered separately. The Court assessed the competing signs as wholes and left open the possibility of a fresh application on new grounds.

Significance. Registration remains important evidence, but its actual terms and disclaimers are material. Right holders should not assume that isolated generic elements are enforceable without evidence of deceptive similarity in the context of the complete mark.

3. Search-and-seizure safeguards: M/s Pioneer Tobacco & Trading Company v. Federation of Pakistan – 2026 SHC KHI 1190 (1 June 2026)

In a dispute involving seized imported cigarettes, brand owners supplied reports asserting that certain products were counterfeit. However, the proceedings before the Sindh High Court primarily concerned the legality of a search under the Sales Tax Act, 1990 and seizure under the Customs Act, 1969. The Court held the challenged search/seizure unlawful on the procedural and evidential record before it and ordered return of the goods. It did not determine a freestanding trademark infringement action.

Significance. Suspected counterfeiting and brand-authenticity evidence do not dispense with the need for a lawful statutory basis, proper authorisation and due process when public authorities search premises or seize goods.

III. COMPETITION LAW AND DECEPTIVE MARKETING ENFORCEMENT

1. Bureau Veritas v. MCI-Bureau of Inspection & Certifications – CCP order dated 15 July 2026

Following a complaint by Bureau Veritas, the Competition Commission of Pakistan (CCP) concluded that MCI-Bureau had adopted a deceptively similar trade name and logo in the testing, inspection and certification sector. The Commission applied overall-similarity and net-general-impression principles, noting that differing colours were insufficient where the principal visual and verbal elements remained similar. It imposed a PKR 5 million penalty and directed cessation of the misleading mark and adoption of a clearly distinguishable identity, together with other compliance measures. The decision was publicly announced on 20 July 2026.

Significance. The matter illustrates the availability of a public-law deceptive-marketing route under section 10 of the Competition Act, 2010 for misleading use of a competitor's business identity, alongside – rather than as a substitute for – statutory trademark remedies.

2. Shahujee Herbal Pharma / COLCOREX – CCP order dated 15 July 2026

On a complaint concerning the COLCOREX veterinary medicine brand, CCP imposed combined penalties of PKR 5.5 million on seven manufacturers for adopting marks and packaging identical or deceptively similar to the complainant's registered trademark. Variants included added words and minor spelling changes. The decision was announced on 28 July 2026.

Significance. Multiple makers and minor alterations to a core mark may still attract regulatory findings where the presentation is deceptive. The penalties are CCP administrative sanctions and should not be conflated with awards of civil trademark damages or criminal convictions.

3. Important year-end 2025 decisions publicised in 2026 – distinction of dates

In PepsiCo v. Mezan Beverages (STING/STORM), CCP's order was dated 31 December 2025, although its PKR 150 million penalty became prominent in January 2026 reporting. The Commission held that imitation of the overall bottle, colouring and packaging amounted to deceptive marketing under section 10, and that the respondent's own trademark registration did not immunise deceptive conduct. In a separate Dabur Amla / Layla Amla matter, CCP dismissed a complaint by order dated 19 December 2025 after finding insufficient overall similarity.

Taken together, these decisions underscore the fact-sensitive assessment of overall market presentation. They address competition-law deception, which is distinct in legal character from the question of infringement of an exclusive registered IP right.

IV. BORDER ENFORCEMENT AND INSTITUTIONAL DEVELOPMENTS

1. Pakistan Customs: 201 IPR seizure/forfeiture cases in FY 2025–26

In its announcement of 7 July 2026, the Directorate General of Intellectual Property Rights Enforcement (IPRE), Pakistan Customs, reported 201 IPR forfeiture and seizure cases in FY 2025–26 against 162 in FY 2024–25, approximately 24% higher. The value of goods seized or forfeited was estimated at PKR 7.7 billion, covering luxury articles, textiles, automotive parts, cosmetics, footwear, consumer goods and other trademark-infringing merchandise. IPRE also reported holding 30 awareness sessions, workshops and seminars for officials and trade stakeholders.

The data record enforcement actions and an estimated value of goods; they do not establish the quantity of final criminal convictions, the outcome of every seizure, or the damages recovered by rights holders.

2. Karachi destruction exercise: counterfeit goods were only part of a mixed consignment

On 17 October 2026, Karachi Customs authorities reported destroying contraband with a total assessed value of PKR 7.711 billion. Of this total, PKR 7.124 billion related to narcotics; approximately PKR 586.58 million related jointly to liquor and other prohibited items, including expired and counterfeit goods. The government did not isolate a separate value for the counterfeit portion. It would therefore be incorrect to describe all PKR 7.711 billion as counterfeit products destroyed.

3. IPO-Pakistan: trademark processing and access to services

In an official statement of 21 October 2026, IPO-Pakistan reported that trademark processing times had decreased from approximately two years to around eight months following backlog-reduction efforts. It also announced an IP Facilitation Desk at the Gujranwala Chamber of Commerce and Industry and stated that an alternative dispute resolution mechanism was being introduced. These are reported administrative improvements and plans.

A connected, earlier digital step was the IPO's Intellectual Property Rights Enforcement Complaint Management System (IPRE-CMS), inaugurated in September 2025 to permit online lodging and tracking of complaints. Its 2026 relevance is operational continuity, not a newly enacted enforcement power.

V. INTERNATIONAL ASSESSMENT AND PRACTICAL OUTLOOK

1. USTR 2026 Special 301 Report

The Office of the United States Trade Representative retained Pakistan on its Watch List in its report of 30 April 2026. It acknowledged increased activity by several enforcement bodies, citing 322 FIA cases registered in calendar year 2025 and 178 Customs border seizures in the same year. USTR nevertheless identified continuing concerns involving online sales of counterfeit products, piracy, inconsistent tribunal outcomes, limited resources, non-deterrent sanctions and co-ordination among agencies. It referred to seven IP tribunals operating across six cities.

2. Overall position as of October 2026

Pakistan's principal reportable developments during 2026 are the progress of a proposed copyright amendment, reported judicial decisions clarifying deceptive similarity and the effect of trademark disclaimers, notable competition-law enforcement against deceptive marks and packaging, and an increase in the volume and value of Customs IPR seizures. For rights holders, the practical emphasis remains on evidential preparation, prompt and procedurally sound engagement with appropriate authorities, and selecting the correct cause of action and forum.