



IPTSE QUARTERLY NEWSLETTER – JUNE 2025

IPTSE – An Initiative of IPETHICON (An Educational Academy) – 2nd Newsletter

Welcome to the first issue of IPTSE's (Intellectual Property Talent Search Examination) Newsletter, which will be rolled out quarterly. In this issue, we are excited to share key updates and insights that highlight our ongoing efforts and achievements.

Inside This Issue:

- Message from Urban Fjellestad - Head of Marketing & Communications at IPR & Licensing, Ericsson
- Blog by IPTSE Research Scholar
- Other Important Announcements

We hope you find this newsletter informative and engaging. Thank you for being an integral part of the IP community.

◆ Exclusive Message from Urban Fjellestad

**(Head of Marketing & Communications at IPR & Licensing,
Ericsson)**



Dear Readers,

At Ericsson, we believe that innovation thrives in an environment where creativity is protected, nurtured, and celebrated. As a global leader in telecommunications and technology, we recognize the critical role that intellectual property plays in driving progress and ensuring a sustainable, knowledge-driven economy.

It is with this conviction that Ericsson has proudly supported the Intellectual Property Talent Search Examination (IPTSE) since its inception. As an Industry Partner, we have consistently aligned with IPTSE's vision of building awareness and appreciation for intellectual property rights among students, educators, and innovators across India.

Over the years, IPTSE has evolved into a pioneering platform that not only educates but also inspires the next generation of thinkers and creators. We commend IPTSE's efforts in integrating IP education into mainstream learning and fostering a culture of respect for innovation at the grassroots level.

Looking ahead, we hope to continue working together to empower India's youth to become responsible innovators and future leaders in the global knowledge economy.

Let us continue to build a future where intellectual property is both a foundation and a catalyst for inclusive growth and technological excellence.

Best wishes



URBAN FJELLESTAD

◆ Research Spotlight: Blog by IPTSE Research Scholar



The Indian Twin Test to Distinguish between Copyright and Designs - By Roshan Bali, Research Scholar at IPTSE

Introduction: The Interplay of Designs and Copyright Law

Intellectual property rights are a collection of rights that might occasionally overlap, giving the owner of the property many types of protection over the same subject. This overlap usually happens when an IPR holder or proprietor attempts to assert his rights under multiple concepts. However, in Indian laws a person can claim protection under one kind of IP law. It is crucial to guarantee that these overlapping rights coexist peacefully in order to handle such circumstances.

In accordance with Indian law, the Copyright Act of 1957 protects original literary, dramatic, musical, and artistic works; artistic works include designs, provided they are original and represented in both 2-D and 3-D forms. Meanwhile, the Design Act protects the aesthetic aspects of designs, regardless of whether they are in 2-D or 3-D forms, if they are appealing to the eye. The protection of one form of intellectual property right automatically results in the forfeiture of the other. The Design Act, 2000 states that a design loses its copyright protection once it is reproduced more than 50 times through an industrial process, given that it was capable of registration under design law but was not registered. However, in April 2025, the Supreme Court in the Cryogas Equipment Pvt. Ltd. v. Inox India Ltd. established the twin test, which ultimately addressed the complex interplay between copyright and design law, encompassing artistic works that may also qualify as industrial designs in India.

Facts of the Case

The case revolved around a Gujarat High Court's decision where Inox India Ltd. alleged that Cryogas Equipment and LNG Express India infringed Inox's copyright in engineering drawings related to cryogenic semi-trailers. Inox had claimed that the drawings were artistic works under the Copyright Act, while appellants argued that they were unregistered "designs" under the Design Act.

The Commercial Court initially dismissed Inox's suit, stating that the drawings reproduced more than 50 times industrially fell under the Designs Act, however, the High Court reversed this decision.

◆ Research Spotlight: Blog by IPTSE Research Scholar



The Twin Tests for Design and Copyright

The Supreme Court formulated a two-pronged test to determine whether a work can be qualified for copyright protection or protection under design law:

1. Whether work in question is purely an 'artistic work' entitled to protection under the Copyright Act or whether it is a 'design' derived from such original artistic work and is subjected to an industrial process as per the language in Section 15(2) of the Copyright Act;
2. If such a work cannot be protected under copyright, then the 'functional utility' shall be applicable for determining the primary purpose and then it would be ascertained whether the work can be qualified for design protection under the Design Act.

Decision of the Supreme Court

The Supreme Court upheld the High Court's decision against the Commercial Court, which dismissed INOX's copyright suit on the sole ground that the drawing had been applied more than 50 times, thereby losing copyright protection and falling exclusively under the Design Act. The Supreme Court noted that since the drawings related to the internal parts of the cryogenic trailers and lacked visual appeal or aesthetics, the Commercial Court's classification of the drawings as "designs" and its subsequent dismissal were deemed premature. This was based solely on the issue of industrial reproductions, without determining the aesthetic or functional nature of the drawings. The Court then directed the Commercial Court to reconsider the issue afresh and conduct the trial.

Conclusion

This most recent ruling by the Supreme Court guarantees coherence and consistency in the country's use of IP right as it has defined a methodical framework for settling the complex and blurry distinction between design protection and copyright. The Court has clarified the legal ambiguity for a precise and equitable IP policy by bringing domestic and international legal principles into harmony, settling the requirements for a clear distinction.



◆ Important Announcements

IPTSE 8th Edition – Coming Soon!

Get ready for the 8th Edition of IPTSE with new categories, enhanced learning resources, and bigger rewards! Stay tuned for official announcements.

Upcoming Webinars & Training Programs

Join our expert-led webinars and certification programs designed to help students and professionals navigate the evolving IP landscape.

◆ Important Announcements



Faculty Development Program (FDP) on Research Proposal Writing & Patent Filing

Program Overview

The Faculty Development Program (FDP) on Research Proposal Writing and Patent Filing was held from 5th to 10th May 2025, organized by IPETHICON, in collaboration with P.E.S. College of Engineering, Chh. Sambhajinagar and the Computer Society of India (CSI). This six-day online program aimed to empower faculty members, researchers, and academic professionals with critical competencies in research proposal drafting, patent documentation, and Intellectual Property Rights (IPR) management.

Session Narrative

Each day of the FDP featured a carefully curated expert session addressing vital topics within the research and IPR ecosystem. The program began with Dr. Sujit Das (BIRAC – DBT) covering the foundations of research proposal writing. Mr. Vaibhav Khanna (Sterlite Technologies) delivered a deep-dive into patent drafting and filing processes, followed by Mr. Shivakumar (Shivakumar & Associates) who emphasized commercialization and licensing. Dr. Sandeep Bansal (INSPIRE MANAK) discussed government research funding avenues, while Mr. Aman Sinha (Advocate & Patent Agent) elaborated on best IPR practices for academic institutions. The final session, led by Dr. Nisheeth C. Desai, provided an integrated view on research planning, funding strategies, publication norms, and protection mechanisms.

◆ Important Announcements



Faculty Development Program (FDP) on Research Proposal Writing & Patent Filing

Program Impact

The FDP provided a platform for practical learning and expert engagement, enabling participants to strengthen their skills in proposal development and intellectual property management. Attendees gained a holistic understanding of funding opportunities, IP commercialization pathways, and institutional IPR policies. The direct interaction with domain experts ensured clarity, relevance, and real-world applicability of the sessions.

Conclusion

By bridging the gap between academic innovation and IPR commercialization, the FDP contributed significantly toward building a research-oriented, innovation-driven academic culture. Participants left the program better equipped to convert their research into valuable intellectual assets, aligned with national and international academic standards.

◆ Important Announcements



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◆ IP Talks with IPTSE – Where Ideas Meet Protection!



 Explore Exclusive IPTSE Podcast Episodes!

Stay ahead in the world of Intellectual Property with expert insights, industry trends, and real-world experiences shared by professionals. Click the links below to listen!

◆ Unlocking the Future: Navigating IPR Careers for Students || Mr. PANKAJ SONI || IPTSE PODCAST

 [Watch Now](#)

◆ IPR Unlocked: Navigating Intellectual Property in the World of Marketing|| Mr. Urban Fjellestad

 [Watch Now](#)

Don't miss out! Watch, learn, and enhance your IP knowledge with IPTSE!

◆ Closing Message



As we bring the 2nd Quarter Edition of the IPTSE Newsletter to a close, we would like to thank each and every one of you—students, educators, institutions, partners, and supporters—for your continued commitment to building a more IP-aware and innovation-driven India.

Each milestone, partnership, and initiative reflects our shared mission: to make Intellectual Property education accessible, impactful, and empowering. From expanding our institutional collaborations to launching initiatives that connect IP with real-world innovation, this quarter has been filled with meaningful progress.

With the IPTSE Weekly Quiz gaining momentum, and preparations in full swing for the 8th Edition, the coming months promise more learning, recognition, and opportunities for the IP community.

💬 We encourage you to stay active, share your ideas, and become a catalyst in transforming India's IP landscape.

💡 Think Creatively. Act Legally. Grow Intellectually.
See you in the next quarter! 🚀