



INTELLECTUAL PROPERTY SPOTLIGHT

INTRODUCTION

We are pleased to present the latest edition of our IP Spotlight, sharing important updates, key developments, and practical insights, all tailored to help you stay updated in the practice of Intellectual Property.

This edition covers the importance of trademark protection in the digital marketplace and its far-reaching implications for e-commerce giants operating in India.

AMAZON TO PAY \$39 MILLION FOR SELLING INFRINGING PRODUCTS

In a landmark ruling, the Delhi High Court has imposed a substantial fine of \$39 million (approximately ₹339 crore) on Amazon for trademark infringement of the “Beverly Hills Polo Club” (BHPC) logo. This marks the first instance of an Indian court levying such a hefty penalty on a U.S. firm.

The case, initiated in 2020 by Lifestyle Equities, alleged that Amazon’s India shopping website listed apparel with a logo strikingly similar to BHPC’s iconic horse trademark. These products, owned by Amazon Technologies, were offered at significantly lower prices compared to authentic BHPC merchandise.

Background and Implications

Previous Infringement: It’s worth noting that Amazon faced similar accusations in the UK in 2019, where it allegedly

targeted British consumers with infringing products.

Systematic Campaign: A 2021 investigation revealed Amazon’s alleged strategy of creating knockoffs and manipulating search results to boost sales of its private brands.

Court’s Decision

The Delhi High Court ruled that “The logo of the infringing brand was hardly distinguishable compared to the logo of BHPC”. The substantial fine aims to discourage such business practices in the future, setting a precedent for intellectual property rights protection in India.

This ruling underscore the growing importance of trademark protection in the digital marketplace and may have far-reaching implications for e-commerce giants operating in India.

Read more about the judgement here:

[Delhi HC orders Amazon to pay \\$39 million in damages in Beverly Hills Polo Club case](#) - The Hindu
[Amazon fined \\$39 million in damages for infringing ‘Beverly Hills Polo Club’ trademark: Report](#) - LiveMint

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