

**MARIE BRIZARD WINE & SPIRITS VS. BELWEDER RUS, SPETSYURTORG, YD TRADING**

Ruling of the Supreme court dated 10.02.2017 №305-3С15-4129

The transfer of the exclusive right has not allowed as far as the threat of misrepresentation exist, it is not required to prove such misrepresentation

**TD GRASS VS. NOVIYE KHIMICHESKIE TECHNOLOGY**

Ruling of the IP Court dated 16.01.2017 case №СИП-185/2016

'Nominal' use of a trademark is not sufficient 'protection' against a claim for early termination of a trademark

**CHARITY FUND 'FUND 'PODARI ZHIZN' VS. NPO CHARITY FUND 'PODARI ZHIZN'**

Ruling of the Supreme court dated 11.07.2017 №53-КГ17-12

The business name of the non-profit organization is not an intellectual property at the same time it is a 'moral right' of the legal entity. Registration of the similar business name may be an unfair competition

**GK ACCENT VS. ROSPATENT, DIAL INGENIRING**

Ruling of the IP Court dated 27.03.2017 case №СИП-464/2016

The right-holder can not register similar trademarks for similar (full or in part) goods (services), it contradicts the public concerns

**SHATO-ARNO VS. VASTOM**

Ruling of the Supreme court dated 25.04.2017 № 305-3С16-13233

The legal entities may demand the court to decrease the compensation (the floating amount and double cost of the counterfeited products) amount as well as the sole proprietors

**BUILD CITY VS. DVIN**

Ruling of the Supreme court dated 14.04.2017 №305-3С15-7110

Defendants in patent infringement cases may refer on posterior use (patent use in term of its temporary termination) not only in case of production but also in any case of patent use (advertisement, storage, purchasing etc.)

**ILYA VARLAMOV VS. ARKHI.RU**

Ruling of the Supreme court dated 28.08.2017 № 218-ПЭК17

Citation (quotation – use without copyright owner's consent) is applicable not only for the texts, but for any works such as photos

**CRIMINAL CASE OF MAKIN E.A.**

Ruling of the Sovetskiy district court of Nizhniy Novgorod dated 11.04.2017 case №1-112/2017

The theft in online games' virtual goods is qualified as a crime under the Article 272 of the Criminal Code (unlawful access to computer-protected information)

+BONUS

**HENKEL RUS VS. IMPORTRADE**

Decision of the UFAS of Kursk region dated 02.02.2017 case №03-05/47-2016

Copying of the product packaging violates both design (IP) and trade dress (not IP)

**PUBLISHER PAN PRESS VS. REN TV, PRODUCTION CENTER AN-FILM**

Ruling of the IP Court dated 15.02.2017 case №A40-233779/2015

If a stage-prop (for example: an illustrated book) is a plot generating object (through artistic value, length of time shown, purpose of use) it is necessary to obtain a copyright owner's consent

**MUSIC RIGHT VS. FIRST CHANNEL**

Ruling of the IP Court dated 30.01.2017 case №A40-14248/2016

The audio recording (IP) in TV show does not fall within the scope of the collective management. The royalty payments in favor of collective management organization do not prove the legitimacy of Defendant's actions without a signed contract with copyright owner

