



MOMIN JURIS LAW

“Tailoring Secretarial and Compliance Services Seamlessly”

Wednesday, July 09, 2025

➤ MINISTRY OF CORPORATE AFFAIRS

The Companies (Corporate Social Responsibility Policy) Amendment Rules, 2025 (July 07, 2025)

The Ministry of Corporate Affairs (MCA) vide its notification G.S.R 452(E) dated July 07, 2025, has notified “the Companies Responsibility (Corporate Policy) Rules, 2025” which shall come into force Amendment with effect from the 14th day of July, 2025. According to the amendment e Form CSR-1 (Registration of Entities for undertaking CSR Activities) has been substituted.

For details: [https://egazette.gov.in/\(S\(zys3fi4zmf1bcby55frscgqk\)\)/ViewPDF.aspx](https://egazette.gov.in/(S(zys3fi4zmf1bcby55frscgqk))/ViewPDF.aspx)

➤ INSOLVENCY AND BANKRUPTCY

IBBI amends the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 (July 08, 2025)

The Insolvency and Bankruptcy Board of India (IBBI/Board) has notified the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) (Fifth Amendment) Regulations, 2025 (Amendment Regulations) on 4th July 2025. Social Key highlights of the Amendment Regulations are as follows:

- (i) **Enhanced disclosure in IM:** – The Resolution Professional (RP) shall mandatorily include in the Information Memorandum (IM) details of all identified avoidance transactions or fraudulent or wrongful trading. Further, the RP is required to keep the IM updated and provide the same to the committee of creditors (CoC) periodically.
- (ii) **Treatment of disclosed transactions in Resolution Plan:** - The resolution plan shall not provide for assignment of any avoidance transactions or fraudulent or wrongful trading unless it was: (a) disclosed in the information memorandum; and (b) intimated to all prospective resolution applicants under sub-regulation (3A) of regulation 35A before the last date for submission of resolution plans. These amendments aim to facilitate informed decision-making by the CoC as well as the resolution applicants, leading to better price discovery and maximization of value for the assets of the corporate debtor.

For details: <https://ibbi.gov.in/uploads/press/bbe147ded5923b021b8ecdff1c8f398e.pdf>

➤ MINISTRY OF INFORMATION & BROADCASTING

Start-Up Accelerator WaveX Launches “Kalaa Setu”, a nation-wide initiative inviting India’s leading AI startups to come up with a real time multilingual multimedia content generation solution for prompt reach-out to citizens in governance (July 08, 2025)

As India accelerates its digital governance journey, the ability to communicate with citizens in their own languages, instantly and effectively, has never been more crucial. Traditional methods of content creation face limitations today to keep pace with the scale, speed, and diversity required for meaningful public outreach. In line with the Government of India’s commitment to inclusive, technology-driven communication, there is a strong push to adopt AI-based solutions that can bridge linguistic divides and ensure last-mile information delivery across the country.

For details: <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2143079>

CONTACT US



+91 77389 07923

+91 74001 16962

+91 98216 46707



info@mominjurislaw.com



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> ESG UPDATE

Deloitte 2024 CxO Sustainability Report

The report shows that climate change remains a top three issue for global C-suite level business leaders (CxOs), surpassing political uncertainty, competition for talent, and the changing regulatory environment, among others. Several key climate issues are already affecting companies, driving the need for proactive measures. Top issues include:

- Changing consumption patterns: 64% of respondents in a March 2024 Deloitte survey of global consumers have changed their purchase behaviors to help address climate change, up from 53% a year earlier.
- Regulatory pressures: Organizations are seeing impacts from a rapidly-evolving sustainability reporting landscape and the rollout of industrial policy aimed at accelerating the energy transition.
- Operational impacts of disasters: As climate-related weather events grow more frequent and severe, adaptation and resilience are becoming increasingly important
- A key indicator of climate’s staying power on leaders’ agendas is that 85% of CxOs roughly Deloitte have increased investments in sustainability in the past year—up from 75% in 2023—and half have started to implement technology solutions to help achieve climate goals.

For details: <https://www.deloitte.com/global/en/issues/climate/cxo-sustainability-report.html>

> COMPETITION COMMISSION OF INDIA (CCI)

Commission approves acquisition of certain businesses of UBS AG by 360 ONE Entities

The proposed combination comprises: (i) acquisition of: (a) portfolio management services (PMS) business of Credit Suisse Securities (India) Private Limited (CS Securities) in India by 360 ONE Portfolio Managers Limited (360 Portfolio); (b) stock broking services and financial product distribution services of CS Securities by 360 ONE Distribution Services Limited (360 Distribution); and (c) loan portfolio which forms part of lending and financing business, of UBS Finance India Private Limited (UBS Finance), undertaken as a systematically important non-deposit taking non-banking financial company by 360 ONE Prime Limited (360 Prime); and (ii) subscription to warrants of 360 ONE WAM Limited (360 OWL) amounting up to ~4.95% of the paid up share capital of 360 OWL by UBS AG. UBS AG is a direct 100% subsidiary of UBS Group AG (UBS) and together with its subsidiaries, UBS AG is the operating entity of the UBS group. UBS is a multinational investment bank and financial services company founded and based in Switzerland, and active globally. 360 OWL is the ultimate parent entity of the 360 ONE Group. It is a wealth and asset management firm in India and serves high net-worth and ultra-high net worth individuals, institutional clients etc., through tailored wealth management solutions.

For details: <https://www.cci.gov.in/media-gallery/press-release/details/550/0>

Commission approves the acquisition of a certain stake in SmartShift Logistics Solutions Private Limited (Target) jointly by Kedaara Sapphire Holding and Kedaara Capital Fund IV AIF (Acquirers)

The proposed combination relates to an investment by the Acquirers in the Target. The Acquirers are investment vehicles that belong to the Kedaara Group. The Target operates under the brand name “Porter” and primarily engages in the provision of logistics services in India.

For details: <https://www.cci.gov.in/media-gallery/press-release/details/549/0>

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> PRONOUNCEMENT

July 01, 2025	Kabushiki Kaisha Toyota Jidoshokki (Plaintiff) Versus LMW Limited (Defendant)	High Court of Delhi CS(COMM) 881/2024 I.A. 41600/2024 (for injunction)
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The Legislature in its wisdom has prescribed the term of a patent granted for twenty years keeping in mind the overall social and economic benefit of humanity at large. Patent holder cannot be allowed to claim a lifetime monopoly over a patent after its term, once it has expired.

Brief facts

The Plaintiff is actively engaged in marketing and sale of yarn spinning machines with the patented technology as claimed and granted in both IN759 and IN883 worldwide and further licenses the said technology to various licensees. The Plaintiff has made enormous sales across the globe, as well as in India, through spindles applying the technology of IN759.

As per Plaintiff, the Defendant is using/ intending to use and supply its patented technology claimed and granted in IN759 and IN883 without authorization from the Plaintiff in its spinning machine known as Spinpact, specifically the technology disclosed in IN759 in the knurled rollers employed in Spinpact by introducing grooves greater than 0.04mm therein.

However, since the timeline involved for grant of a patent i.e., the mandatory period for IN759 has expired on 24.05.2025, the same is a crucial factor of vital importance, especially when by way of the present application, the Plaintiff is praying for an interim order till the pendency of the present suit.

Judgement

Hon’ble High Court inter alia observed that as per Section 53 of the Patents Act, the term of a patent granted, after the commencement of the Patents (Amendment) Act, 2002, is for a fixed period of not more than twenty years from the date of filing of the application thereof. It is also stipulated therein that, after expiration of the said term of twenty years, the said patent shall cease to have effect. Meaning thereby, the life/ term/ period of the said ‘expired’ patent cannot be renewed by a patent holder since it lapses once the said mandatory period of twenty years is over. Resultantly, upon expiry of the said mandatory period of the term of twenty years of the patent, the patent holder cannot seek to claim any kind of protection qua it. Further, “.....the subject matter covered by the said patent shall not be entitled to any protection” means that the said technologies/ advancements disclosed by the patent become a part of public domain and nobody can be prohibited from usage/ exploitation of the same.

Further the Court said that the period prescribed therein for a maximum period of twenty years in the Act is with a specific purpose. The Legislature, in its wisdom, has prescribed the said period of twenty years keeping in mind the overall social and economic benefit of humanity at large, and especially that no patent holder like the plaintiff, can be allowed to claim a lifetime monopoly over a patent after its term, once it has expired. Thus, this Court being bound by the stipulations of the Statute/ Act, granting an injunction of the nature sought by the plaintiff herein, and that too at this stage, when the life/ term/ period of the patent IN759 has already expired, would lead to anomalies and in fact, be futile. This Court cannot grant anything by way of the reliefs sought for in the present proceedings, particularly, since it would be beyond the scope thereof and/ or will be what is neither statutorily available nor permissible.

Applying the aforesaid provisions to the factual matrix involved herein, it entails that the said patent, IN759, upon expiry of the limited/mandatory period of twenty years on 24.05.2025, is freely available in public domain now, more so, since there is interestingly no provision for renewal thereof in the Act. Therefore, once in public domain, everyone

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including the defendant herein, is/ will be free to use, manufacture, offer, sell, or like, IN759 in any form whatsoever. This is since the plaintiff has lost its right to enforce the said IN759 after the expiry of the limited/ mandatory period of twenty years. High Court held that in view of the aforesaid analysis and reasoning, it is clear that since IN759 has already expired on 24.05.2025, this Court is precluded from passing any effective order restraining infringement of the said patent. As such, any finding on the merits by this Court would be a nullity and are likely to prejudice the fate of the present proceedings.

For Details:

https://delhihighcourt.nic.in/app/showFileJudgment/59101072025SC8812024_172415.pdf

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