

Intellectual Property
Newsletter

The IP Odyssey

NOVEMBER 2025

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TRADEMARK TAPESTRY

BOMBAY HIGH COURT PROTECTS METRO BRANDS TRADE MARK.

The Bombay High Court has granted interim relief in favour of Metro Brands, restraining a retail store from using the mark “Metro Footwear”, on the basis that it bore an identical or deceptively similar resemblance to the registered “METRO” mark used by Metro Brands since 1955. The Court found that the defendant’s use would likely cause confusion and harm the plaintiff’s goodwill, especially given its long-standing market presence and registration of the mark since December 1972.

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DELHI HIGH COURT GRANTS RELIEF TO DREAM11 IN TRADE MARK CASE.

The Delhi High Court granted interim protection to Dream11 in a trademark dispute involving alleged infringement by a competing platform. After assessing the prima facie strength of Dream11’s mark and the potential for user confusion, the Court opted to refer the matter to mediation. This reflects the judiciary’s increasing inclination to push commercial IP disputes toward alternative resolution mechanisms. The order ensures interim stability for Dream11’s branding pending resolution. Mediation could lead to a faster and more commercially sensible settlement.

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SUPREME COURT REVIVES CROCS’ PASSING-OFF SUITS; DISMISSES PLEAS BY BATA & LIBERTY.

The Supreme Court upheld orders reviving Crocs’ passing-off suits against domestic footwear companies such as Bata and Liberty, clearing the path for full trial. Crocs alleges that the defendants copied its distinctive trade dress, including the iconic clog design. The Apex Court’s refusal to quash proceedings demonstrates its willingness to allow detailed factual examination in trade dress disputes. This outcome strengthens brand owners’ ability to protect non-traditional marks and product shapes. It also signals stricter judicial scrutiny of imitation in competitive markets.

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BOMBAY HIGH COURT RESTRAINS PUBLISHERS OF “THE NEW INDIAN EXPRESS” FROM USING THE NAME OUTSIDE SOUTHERN STATES.

In a long-running territorial dispute, the Court held that *The New Indian Express* cannot use its mark outside the agreed southern states, recognising the potential for consumer confusion with *The Indian Express*. The injunction is based on contractual arrangements and trademark rights that define territorial exclusivity. The Court found prima facie infringement when the mark appeared in regions beyond the permitted zone. The decision reinforces the importance of geographic agreements in media branding. This ruling may shape future media house expansion strategies.

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DELHI HIGH COURT UPHOLDS JAYA BACHCHAN'S PERSONALITY RIGHTS AGAINST MISUSE.

The Delhi High Court restrained unauthorised commercial use of Jaya Bachchan’s image, likeness and other identifiable attributes. The decision reflects the judiciary’s increasing willingness to recognise broad-spectrum personality and publicity rights, even without a codified statute. The Court held that exploiting a celebrity’s persona without consent unfairly capitalises on their reputation and goodwill. This outcome builds on recent Indian jurisprudence expanding protectable celebrity interests in the digital economy. The ruling may also guide brands and advertisers on consent requirements for celebrity-linked promotions.

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DELHI HIGH COURT DECLINES TO LIFT INJUNCTION ON FILM TITLE USE IN BRO CODE TITLE DISPUTE.

In a trademark claim by the beverage company Indospirit Beverages Private Limited, the Delhi High Court refused to grant interim relief to the film-maker seeking to use the title “Bro Code”, noting that staying the judgment would amount to deciding the appeal prematurely. The beverage company claimed the title infringed its registered mark used for alcoholic and non-alcoholic drinks and that the identical use could harm its brand and confuse consumers. The Court thus restrained the production house from using “Bro Code” in promotion and distribution.

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SHILPA SHETTY SEEKS PROTECTION OF HER PERSONALITY RIGHTS, APPROACHES BOMBAY HIGH COURT

Bollywood actor Shilpa Shetty has moved the Bombay High Court seeking protection of her personality rights from being illegally commercialised by several known and unknown platforms which are using Artificial Intelligence (AI) version of her voice, deepfake images etc and earning profits. She has highlighted that she is one of the most celebrated and internationally recognised personalities in the Indian entertainment industry for over three decades and is a global icon, considered as one of the leading actresses of the 1990s, and global ambassador for various brands. It is alleged that the Defendants, by reproducing and circulating manipulated clips containing the Plaintiff’s likeness and performances in a manner that subjects her to unsavoury humour, ridicule and baseless rumours have violated her moral rights in her performances and caused serious harm to her reputation.

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DELHI HIGH COURT PROTECTS WELL-KNOWN TRADE MARK ‘GOLD FLAKE’; RESTRAINS USE OF MARK ‘GOLD FLAME’ IN SALE OF CIGARETTES.

The Delhi High Court has restrained Pelican Tobacco Co. Ltd., its directors and its properties from using the name, trade dress and labels similar to ITC Ltd.’s ‘Gold Flake’ trademark, till the main suit filed by the latter was decided. Pelican Tobacco has replicated all essential

TRADEMARK TAPESTRY

features of ITC's marks and labels, said the high court. "The defendants' minor variation, substituting 'K' with 'M' to form 'Gold Flame' from 'Gold Flake' does not make the competing marks dissimilar. Cigarettes are purchased by all classes of consumers and when sold loose, the consumers may not check the exact spelling before purchasing the infringing product," said the court.

ITC has demonstrated the goodwill and reputation acquired by its marks, said the court. ITC has earned a considerable revenue of INR 401.86 billion for 2023-24 (Apr-Mar) from the sales of its products under the 'Gold Flake' trademark. Pelican Tobacco's use of 'Gold Flame' mark is dishonest and is nothing but an attempt to ride the goodwill and reputation of ITC's marks so as to cause confusion in the market, the court added.

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DELHI HIGH COURT DIRECTS TAKEDOWN OF AJAY DEVGAN'S OBSCENE DEEPPAKES

The Delhi High Court on 27th November, 2025 passed an interim order protecting the personality rights of bollywood actor Ajay Devgn. Justice Manmeet Pritam Singh Arora restrained the defendants from using the personality traits of the actor, including his images and other personal elements, without his consent. The Defendants are also refrained from misusing the actor's personality traits through use of artificial intelligence and deepfake technology, as well as obscene content.

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SUGGESTIVE MARK CAPABLE OF REGISTRATION UNDER TRADE MARKS ACT: DELHI HIGH COURT ALLOWS APPEAL, SETS ASIDE REFUSAL OF "SOEASY" TRADEMARK FOR HINDI LEARNING PLATFORM.

The Delhi High Court has overturned the Trade Marks Registrar's refusal to register the mark "SoEasy" for a Hindi learning and testing platform, holding that the phrase is suggestive rather than descriptive and is therefore capable of trademark protection. The Court directed the Registrar to process the application for registration.

In a judgment delivered on November 24, 2025, Justice Tejas Karia ruled that "SoEasy" does not describe the qualities or characteristics of the goods covered and reaffirmed that while descriptive marks cannot be protected, suggestive trademarks are registrable under the Trade Marks Act.

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DELHI HIGH COURT DECLARES 'HERMES' AND 3-D SHAPE OF ITS 'BIRKIN' BAG AS WELL-KNOWN TRADE MARKS.

The Hon'ble Delhi High Court on 24th November 2025 held that the the subject marks have acquired extensive recognition and association within the relevant section of the public engaged in or familiar with the fashion industry. The Plaintiffs' long-standing reputation and consistent use of the subject marks across jurisdictions establishes a continuous and

significant commercial presence. The documents on record also indicate that the subject marks have been used and promoted for several decades, supported by considerable promotional expenditure and consistent visibility in the fashion industry worldwide. In view of this, the Court held that the subjects marks satisfy the criteria laid down in Section 11(6) r/w Section 11(7) of the Act for being declared as well-known Trade Marks in India.

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DELHI HC RESTRAINS UNAUTHORISED CRICKET STREAMS ON ROGUE WEBSITES; PROTECTS JIOSTAR'S EXCLUSIVE MEDIA RIGHTS.

The Delhi High Court granted an ex-parte ad-interim injunction in favour of JioStar, which holds exclusive global digital and television media rights from the Board of Control for Cricket in India (BCCI) for various events including the India-South Africa and upcoming India-New Zealand cricket series. The Court observed that unauthorised streaming by rogue apps and websites undermines JioStar's investment and causes irreparable harm — hence it restrained them from hosting, streaming, reproducing or distributing the said matches during the period.

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BOMBAY HIGH COURT STAYS FIR AGAINST FLIPKART IN COPYRIGHT CASE BY SHEMAROO

Flipkart secured a stay on an FIR lodged by Shemaroo alleging unauthorised hosting of copyrighted films. The Court observed that criminal prosecution in copyright matters must meet a higher threshold and cannot be triggered mechanically. This interim relief provides breathing room for the platform while the Court examines issues relating to intermediary liability. The dispute underscores ongoing uncertainty around platform responsibility for third-party content. The final outcome could have wider implications for e-commerce marketplace liability frameworks.

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DELHI HIGH COURT RESTRAINS WEBSITES ENABLING ILLEGAL DOWNLOADS OF SAREGAMA INDIA'S COPYRIGHTED MUSIC.

The Delhi High Court has issued an ex-parte ad-interim injunction restraining several stream-ripping websites that enabled users to extract and download music from licensed platforms, in a suit filed by Saregama India Limited. Observing that such services directly undermined copyright protection and deprived the rights holder of lawful revenue, the Court directed domain registrars to lock and suspend the identified domain names within seven days and furnish subscriber details in sealed form, while internet service providers were ordered to block access. The court held that stream-ripping constituted a serious violation by facilitating permanent unauthorised copies outside licensed ecosystems and found that Saregama had established a strong prima facie case, with the balance of convenience in its favour and risk of irreparable harm. The next hearing of the matter is on February 27, 2026.

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BOMBAY HIGH COURT RESTRAINS ACTC FROM USING PPL MUSIC WITHOUT LICENCE.

The Bombay High Court has granted an interim injunction restraining ACTC Studio Private Limited from using sound recordings owned or exclusively controlled by Phonographic Performance Limited (PPL) without obtaining a licence. The order follows

allegations that while ACTC had previously obtained permissions for its events, it failed to secure a licence for an event held on 19 July 2025, amounting to copyright infringement. With another ACTC event scheduled for 15 November 2025, the Court granted urgent ad-interim relief, prohibiting any use or communication of PPL's repertoire unless the required permissions are obtained.

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DELHI HC ORDERS CANCELLATION OF COPYRIGHT REGISTRATION OF EDIBLE OIL BRAND 'NIOP NIWAI'.

The Delhi High Court has cancelled a copyright registration granted for an edible oil label featuring a 'Swastik' device, holding that the artwork was a substantial reproduction of a label long used by Rajani Products, a manufacturer and seller of edible oils. Finding that the rival work lacked originality, the Court directed that the entry be expunged from the Register of Copyright.

Delivering the judgment on November 24, 2025, Justice Tejas Karia held that the artistic work registered by a seller operating as Natural India Oils and Proteins had copied the essential elements of Rajani Products' established 'Swastik' label. Since both parties operate in the same trade and the rival label used the same 'Swastik' device that forms an integral part of Rajani Products' labels, the Court held that the company was clearly aggrieved.

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PATANJALI RESTRAINED FROM CALLING OTHER CHYAWAPRASH BRANDS AS 'DHOKA'; DELHI HIGH COURT GRANTS INTERIM RELIEF TO DABUR.

The Delhi High Court restrained Patanjali from airing an advertisement that referred to rival chyawanprash brands as "dhoka" (deceptive), holding that such messaging amounts to impermissible denigration of competing goods. While comparative advertising is allowed, the Court emphasised that it cannot cross into unfair disparagement. The ruling reinforces the standards governing claims, innuendo, and hyperbole in commercial ads. The decision comes against the backdrop of increased scrutiny of Patanjali's advertising practices. Brands are reminded to avoid negative generalisations about competitors.

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FAILURE TO RECORD FINDINGS ON PROVISIONAL SPECIFICATION VITIATES PATENT REJECTION ORDER: MADRAS HIGH COURT.

The Madras HC on 20th November 2025 while considering an application filed in 2014 held that the principal ground of rejection was anticipation and obviousness in view of the prior art. The Court observed that Section 11(2) of the Patents Act requires that a claim be “fairly based” on the matter disclosed in the provisional specification to reckon priority. The Court noted that the order under challenge failed to record any finding on this objection, despite its significance. The Court further observed that the order discussed only a limited set of prior art documents, while ignoring several others and affidavits placed on record. The Court held that the failure to consider these objections and documents vitiated the order. Thus, the Court set aside the order and remanded the matter for reconsideration by different officer.

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DELHI HIGH COURT SETS ASIDE REJECTION OF MEDILABO'S PATENT FOR NEURODEGENERATIVE-DISEASE DRUG.

Delhi HC on 24th November 2025, deciding an appeal filed under Section 117A of the Patents Act against an order passed by the Assi Controller of Patents and Designs refusing Patent Application on the grounds under Section 3(i) of the Act. The Court reiterated the principle “the controller should examine all grounds of objection while deciding an application, even if the application is found to be nonpatentable on any one of the preliminary or technical grounds.” The Court remanded back the Subject Application for fresh consideration including the amended claims.

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INTERNATIONAL

RAPPER RBX SUES SPOTIFY OVER ALLEGED AI BOTS AND FAKE STREAMING ACTIVITY

Rapper RBX filed a lawsuit in California alleging that Spotify inflated streaming numbers using AI-driven bots, which distorted engagement metrics and ultimately impacted artist royalties. The suit also implicates broader concerns around transparency in algorithmic systems used by music platforms. If proven, it could expose major vulnerabilities in royalty accounting and digital fraud detection. The case brings renewed scrutiny to AI manipulation within the music industry at a time when regulators are already grappling with AI-generated content. Spotify's response is expected to shape the narrative on platform accountability.

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OPENAI USED SONG LYRICS IN VIOLATION OF COPYRIGHT LAWS, GERMAN COURT SAYS

A German court held that training or generating outputs from copyrighted song lyrics without permission constitutes infringement. The decision marks a significant setback for OpenAI and potentially other AI developers using music content in training datasets. The ruling signals the EU's stricter stance on protecting copyrighted works in the AI era. It may also embolden rights-holders to pursue similar claims in other jurisdictions. Compliance with copyright licensing in AI training is likely to become a major international issue.

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EMINEM SUES AUSTRALIAN BEACH BRAND 'SWIM SHADY'

Eminem has initiated legal action against an Australian swimwear company over its use of the name "Swim Shady," alleging it infringes and trades upon the goodwill of his trademarked persona, "Slim Shady." In a petition filed on September 29, the rapper, Eminem, asked the U.S. Patent and Trademark Office to cancel the company's trademark, arguing that the near-identical name is likely to cause consumer confusion, falsely imply association, and dilute the distinctiveness of his brand. His filing states that substituting one letter is insufficient to distinguish the marks and asserts that the continued use of "Swim Shady" risks reputational harm, dilution, and exploitation of the value built through years of commercial use and promotion. The swimwear brand has been directed to respond by November 28.

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WARNER SETTLES LAWSUIT WITH AI MUSIC FIRM AND LAUNCHES JOINT VENTURE.

Warner Music Group has made a deal with artificial intelligence music-generator Suno that will let the startup launch new models based on licensed songs. The agreement settles Warner's copyright litigation against Suno. Suno's platform allows users to generate songs based on text prompts. Suno will launch new models next year and require users to be paid subscribers to download songs, the companies said.

Paid users will be given a cap on monthly downloads with the option to pay for more. Warner artists

and songwriters will have the choice to opt into the service, the companies said. As part of the deal, Suno is acquiring Songkick, Warner Music's concert-discovery platform. Financial terms were not disclosed. Suno recently announced a \$250 million fundraising round at a valuation of \$2.45 billion.

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ANM ThinkPod

FIRM HIGHLIGHTS

ANM Global's Equity Partner and Head of Media, Entertainment & Gaming Practice, Anushree Rauta, participated in an inspiring panel discussion at #IndiaJoy2025, alongside celebrated leaders including Mrs. Manchu Lakshmi Prasanna, Dr. Viveka Kalidasan, PhD, Ms. Kavitha Jaubin, and Ms. Santhy Balachandran, moderated by Ms. Sree Chaitu.



ANM Global's Equity Partner and Head of Media, Entertainment & Gaming Practice, Anushree Rauta, has been quoted by The Economic Times in their article titled "Global shows skip India as licensing, censorship and costs limit streaming access for paid subscribers." Her expert views offer critical perspective on the regulatory and licensing complexities impacting India's evolving streaming ecosystem.

Now Streaming Globally, But Indians Miss All the Action

BIG MYSTERY Unavailability of content on platforms in India an issue with paid users; OTTs release shows in specific regions as distribution strategy

Rajesh N Naidu

Mumbai: Scriptwriter Jaidev Hemmady says he has not been able to watch Tinker Tailor Soldier Spy and The Little Drummer Girl in India because the platforms that stream these series in other markets are not showing them here. Recently paid Indian subscribers of Apple TV could not watch the documentary series on legendary film director Martin Scorsese, because the series was not released in the India region. These are among many programmes that paid subscribers of the local arms of international platforms say are not available for viewing in India, even though the same platforms stream the content elsewhere. Entertainment industry executives cite licensing agreements to censorship clearance as reasons for platforms not releasing content simultaneously in different markets. "Generally, content produced or acquired by a streamer is sold on a territory-to-territory basis. Streamers release content in specific territories where they have

their best footprint," said Rajat Agrawal, chief operating officer at Ultra Media and Entertainment Group, which owns the streaming platform Ultra Play. "Streamers estimate content costs and devise ways of recovering costs. They identify markets and ways through which high revenues can be generated," Agrawal added. Typically, streamers recover close to 50% of the content cost by releasing content on their own platforms

through subscription, rental services and advertisements, said industry experts. They recover the remaining cost either by selling distribution rights to other streamers or to sales agents (who in turn sell distribution rights to streamers). This strategy decides the availability of content for viewing in a region. Censorship clearance is another key factor. "A new censorship clearance is required for each territory to show streaming content in countries other than

where it was originally censored," said Arun Kumar, a Chennai-based content syndicator who works with streamers and TV channels. Marketing strategies of the platforms also play a role in its availability in a region. "Streamers release content in a staggered manner from one region to another. It is a part of a marketing strategy," explained Anushree Rauta, head of the media and entertainment practice at law firm ANM Global.

CENSORSHIP CLEARANCE A new censorship clearance is required for each territory to show streaming content in countries other than where it was originally censored, says a content syndicator

Apart from these, content reach and distribution costs could be possible reasons. "After evaluating content reach and its suitability in a region, streamers also consider operational costs involved in distributing content. There are costs related to servers and other technical infrastructure. So, if there is not a sufficiently high audience in a region, a streamer may not release content in that region," said Shrirang Nargund, an independent consultant on the streaming business.



Challenges Remain

- Staggered release of content
- Marketing strategies of platforms also play a role in deciding a region
- Licence deals with other streamers or sales agents in different regions
- Censorship clearance
- Content relevance/reach in a geography



FIRM HIGHLIGHTS



The much-awaited De De Pyar De 2, starring R. Madhavan, released on 14th November.

ANM Global is proud to have represented R. Madhavan in negotiating and finalizing the artist agreement for the project, produced by Luv Ranjan Films.

Team ANM: Nidhish Mehrotra | Anushree Rauta | Samyak Surana

A testament to ANM Global's expertise in supporting artists and navigating complex entertainment agreements.

Ziddi Ishq, a gripping Hindi web series directed by Raj Chakraborty, premiered on 21st November on JioHotstar.

ANM Global is proud to have represented Raj Chakraborty Entertainment, providing end-to-end legal support for the series, including development, production, and cast & crew agreements.

Team ANM: Nidhish Mehrotra | Anushree Rauta | Ritisha Mukherjee | Shabbir Shamim

A reflection of ANM Global's expertise in guiding creative ventures through complex legal landscapes.



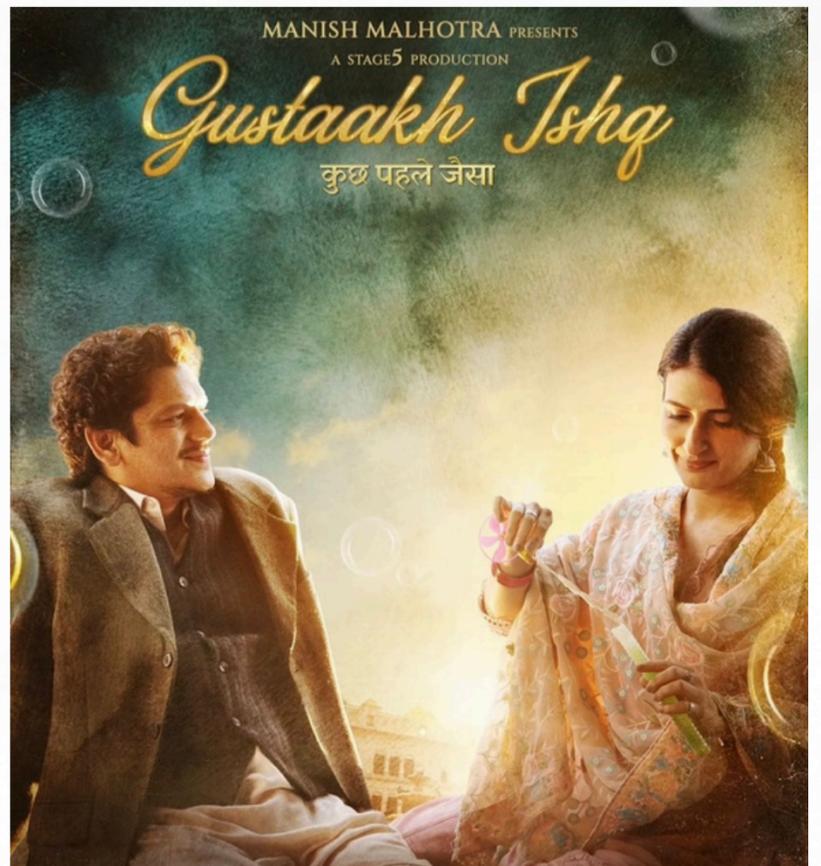
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Gustaakh Ishq, a compelling Hindi feature film directed by Vibhu Puri, released on 28th November 2025.

ANM Global is proud to have represented Stage5 Productions LLP, providing end-to-end legal advisory, including script and content reviews, and drafting, reviewing, and negotiating all agreements for the film.

Team ANM: Nidhish Mehrotra | Anushree Rauta | Anisha Shetty | Samyak Surana | Shabbir Shamim

A reflection of ANM Global's commitment to supporting creative storytelling with strong legal expertise.

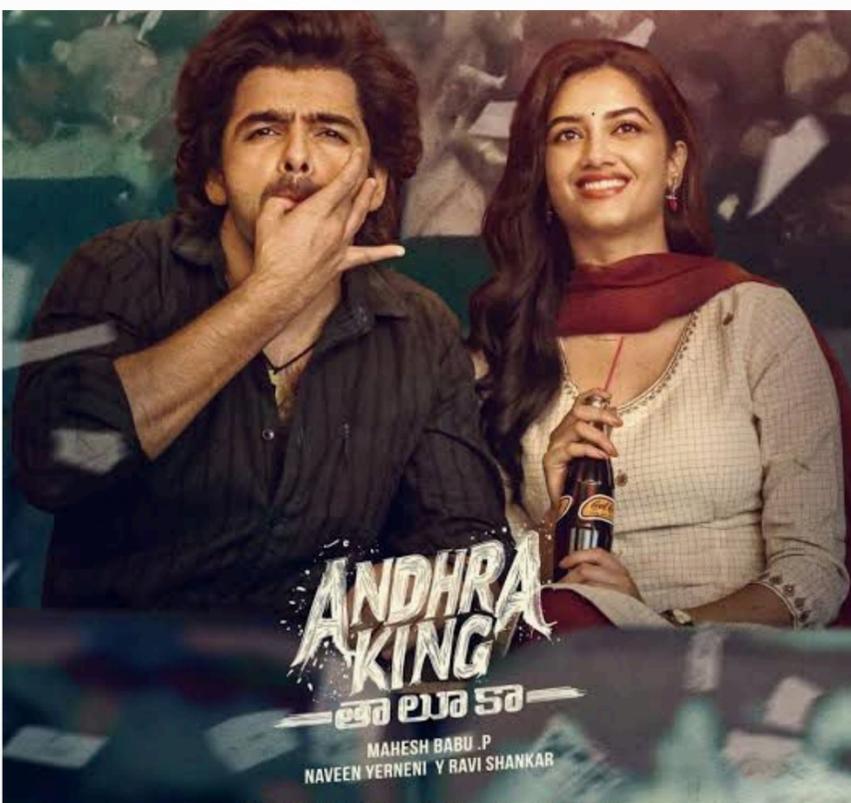


Andhra King Thaluka, released on 27th November 2025.

ANM Global is proud to have represented RKD Studios (RK Duggal Studios Private Limited) in the acquisition and exploitation of dubbing and all exploitation rights in Hindi and other Indian languages (excluding South Indian languages), as well as Hindi and all other world languages (excluding South Indian languages), ensuring seamless legal execution for the project.

Team ANM: Nidhish Mehrotra | Anushree Rauta | Anisha Shetty | Shabbir Shamim | Yashwini Balakrishna Amin

A reflection of ANM Global's expertise in managing complex rights and cross-language film exploitation agreements.



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QUOTED BY APAC MEDIA - "DPDP RULES NOTIFIED : EXPERTS CALL IT A LANDMARK SHIFT IN INDIA'S DATA GOVERNANCE FRAMEWORK"



"An epochal moment for the country's data governance landscape. With clearly defined phased-wise implementation timelines, mandatory audits for significant data fiduciaries, strict breach-notification duties and robust standards for consent, security and retention, the Rules firmly operationalise India's data protection regime"

RODNEY D RYDER

PARTNER
ANM - SCRIBOARD

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Rodney D. Ryder, Partner at ANM – Scriboard, has been quoted by APAC Media in their coverage of “DPDP Rules Notified: Experts Call It a Landmark Shift in India’s Data Governance Framework.”

Honoured recognition of his insights on India’s evolving data protection and digital governance landscape.

ANM Global advised Pocket Aces Pictures Private Limited, a subsidiary of Saregama India Ltd. and a group company of RPSG Group, on the acquisition of Finnet Media Private Limited. This strategic acquisition supports the group’s expansion into the influencer management space.

The transaction team was led by Supreme Waskar (Partner) and Dipesh Nassa (Associate).

A testament to ANM Global’s expertise in guiding media and entertainment companies through strategic growth transactions.



DEAL UPDATE

ANM Global advised Pocket Aces Pictures Private Limited, a subsidiary of Saregama India Limited's and group company of RPSG Group, for acquisition of Finnet Media Private Limited.

The transaction team was led by Mr. Supreme Waskar (Partner) and Mr. Dipesh Nassa (Associate).

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Revolver Rita, released on 28th November.



ANM Global is proud to have advised RKD Studios (RK Duggal Studios Private Limited) on the acquisition and exploitation of Hindi dubbing rights for the film, as well as rights for other world languages (excluding South Indian languages), facilitating smooth commercial exploitation across territories.

Team ANM: Nidhish Mehrotra | Anushree Rauta | Anisha Shetty | Shabbir Shamim | Yashwini Balakrishna Amin

A testament to ANM Global's expertise in navigating complex rights and distribution agreements in the film industry.



ANM Global announced the onboarding of Mr. Varunraj Limaye and Dr. Venkatesh Seshan as Partners in its Intellectual Property practice, focusing on Patents and Designs. Their addition, along with a multi-disciplinary team, strengthened ANM Global's Patents practice.

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