

UPDATES FROM IPOS

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Dear readers

Here are some developments relating to IP & tech dispute resolution in Singapore for your reading pleasure.

High Court decisions

[*Zyfas Medical Co \(sued as a firm\) v Millennium Pharmaceuticals, Inc and another*](#) [2026] SGHCR 9

The main action pertained to a patent infringement claim, where the defence was successful; the High Court found that one of the patents was invalid and the other patent had not been infringed.

The defendant, Zyfas Medical, sought an assessment of the costs it was awarded. The claimant, Millennium Pharmaceuticals, resisted the assessment until after the assessment of damages suffered by the defendant from an interim injunction earlier ordered against it. However, the High Court Assistant Registrar decided that there was no need to delay the assessment of costs. The substantive claims had been fully resolved and there were no damages to be assessed from those substantive claims which were dismissed. The relevant damages were in respect of an interlocutory process (the interim injunction) which would not have been a reflection of the amount that was at stake in the substantive (liability) trial.

[*Babbobox Pte Ltd v Epiq Singapore Pte Ltd and another*](#) [2026] SGHC 66

The parties were involved in a substantive dispute arising from a software development agreement, one of the issues being the ownership of source codes. The claimant imparted source codes to the first defendant under a duty of confidence and under the contractual condition that any disclosure or access to confidential information (in the source codes) is only as necessary for the first defendant to exercise its rights or perform its obligations under the agreement.

The defendants applied for the determination of a question of law or construction of a document under the Rules of Court. If their question were answered in the affirmative, there could be summary determination which could save time and costs for the parties. The High Court judge found that there were factual matters which cannot be summarily determined. Thus, even if he were minded to determine ownership of the source codes identified by the defendants, it would not be safe to do so as a question of law or construction, without an inquiry into the facts.



[The Beauty Nation Pte Ltd v Herbs Health Ben Cao Kang Mu Pte Ltd and another](#) [2026] SGHC 77

This is a High Court case on the “Simplified Process for Certain IP Claims”, which is generally meant for parties with fewer financial resources to enforce IP rights or defend against IP claims.

The dispute concerned two parties, a manufacturer of traditional medicinal goods, and a retailer of those (genuine) goods. The manufacturer alleged copyright and trade mark infringement; and passing off; in the photos and trade marks displayed on the retailer’s online platforms. The High Court judge found that the manufacturer gave implied consent to advertise its products. There was also no actionable misrepresentation under the passing off claim, as consumers were under the rightful impression that they were purchasing genuine goods sourced from the manufacturer.

In conclusion, the judge expressed his disapprobation of the manufacturer in commencing this action against its authorised retailer.

[DVA and another v DVC](#) [2026] SGHC(I) 4

This decision of the Singapore International Commercial Court (SICC) pertains to digital assets on one of the world’s largest digital asset trading platforms, operated by the claimants. The claimants had made a transfer of digital assets to the defendant’s wallet on the platform, under a mistaken belief that the defendant held equivalent assets in two other wallets on their platform, which was not the case. The defendant moved a substantial portion of the assets into other wallets that he controlled (“the relevant assets”).

The claimants sought an interim proprietary injunction in respect of the relevant assets. The court applied the well-established test, under which the claimants succeeded in proving that (a) there is a serious question to be tried; and (b) the balance of convenience lies in favour of the grant of an injunction.

IPOS decision

[Aswins Home Special v Aswins Sweets & Snacks Pte Ltd](#) [2026] SGIPOS 5

The Opponent succeeded in an opposition against the registration of the “ASWINS” trade mark. On the evidence, it established the three elements of passing off: goodwill, misrepresentation and damage. The Opponent also alleged that the Applicant filed the application to register “ASWINS” in bad faith. The Opponent already had market presence in Singapore before the Applicant’s application, and the Applicant offered no explanation for the derivation of the “ASWINS” trade mark at all.

Media coverage on case at Singapore International Commercial Court

The [Business Times](#) published an article, “Why Where You Park Your Joint Venture Matters: Lessons from a US\$689 million Shareholder Dispute”, on a dispute adjudicated at the Singapore International Commercial Court (SICC). Indian conglomerate Kiri Industries received US\$689 million in a full settlement of its minority stake in DyStar Global Holdings. The decade-long minority shareholder oppression dispute involved litigation of different issues, including valuation of a black dye patent.



The DyStar case is among the growing number of cases of international cross-border disputes that are being heard in Singapore. Lawyer for Kiri Industries, Dinesh Dhillon, attributed this to the legal infrastructure that Singapore has built, which attracts foreign confidence.

Featured article

Joel Ko, [Clarifying the Geographical Indications Regime in Singapore, Lessons from “Prosecco” and “Fonterra”](#), [2026] SAL Prac 12, was published on 13 April 2026. This piece evaluates two Singapore Court of Appeal decisions on geographical indications: *Consorzio di Tutela della Denominazione di Origine Controllata Prosecco v Australian Grape and Wine Inc* [2023] 2 SLR 509 (“Prosecco CA”) – on oppositions – and *Fonterra Brands (Singapore) Pte Ltd v Consorzio del Formaggio Parmigiano Reggiano* [2024] 2 SLR 624 (“Fonterra CA”) – on qualification of rights.

Featured event

IPOS was in New York and San Francisco from 2 to 6 March 2026, together with a delegation comprising representatives from the Singapore International Commercial Court (SICC), Singapore International Arbitration Centre (SIAC) and Singapore Academy of Law (SAL); and lawyers from Singapore law firms. The trip also coincided with the 5th edition of the [International Tech & IP Disputes Exchange \(I-TIDE\) 2026 — AI and Cross-Border Tech Disputes](#) seminars and roundtables.

We are pleased to share with you the [seminar recording](#) from 5 March 2026 in San Francisco and highly recommend that you view a standout keynote (13 min) from [00:09:45](#) by Janel Thamkul, Deputy General Counsel, Anthropic. She highlighted three priorities for dispute resolution in the AI era: tech fluency, neutrality and speed.

If you know of anyone who would like to be added to this mailing list (which deals primarily with IP/IT dispute resolution in Singapore), please drop us a note at ipos_hmd@ipos.gov.sg. IPOS also separately maintains another mailing list for circulars, legislative amendments and other related matters which you can join by contacting news@ipos.gov.sg. For any comments or feedback (or to draw our attention to any interesting news we might have missed), please email [see tho sok yee@ipos.gov.sg](mailto:see_tho_sok_yee@ipos.gov.sg). Archived copies of our previous updates are available at the following [link](#).

