



Jurisdiction Devoid of Boundaries

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*In a landmark decision, the Division Bench of the Delhi High Court, in **World Wrestling Entertainment v. Reshma Collection & Ors**, provided an expansive interpretation to the principles of territorial jurisdiction under the Copyright Act, 1957 and the Trade Marks Act, 1999. The Bench clarified the law in relation to territorial jurisdiction by pointing out that in Dhodha House, the Supreme Court had clearly observed that for the purpose of carrying on business, the presence of the person concerned at a particular place is not necessary, and must only conform with three conditions: (i) the agent must be a special agent who attends exclusively to the business of the principal, (ii) the person acting as agent must be an agent in the strict sense of the term, and (iii) to constitute 'carrying on business' at a certain place, the essential part of the business must be performed at that place. The Bench, acknowledging the possibility of an entity having a virtual presence in a place far from where it has a physical presence, and further relying on the growing trend of businesses using virtual business models, refined the applicability of this judgment, with emphasis on how to interpret what is actually meant by "carrying on business." Authored by Vaishali Mittal, Siddhant Chamola and D. Neha Reddy. This article was published in Asia IP October 2014. [Read more](#)*

