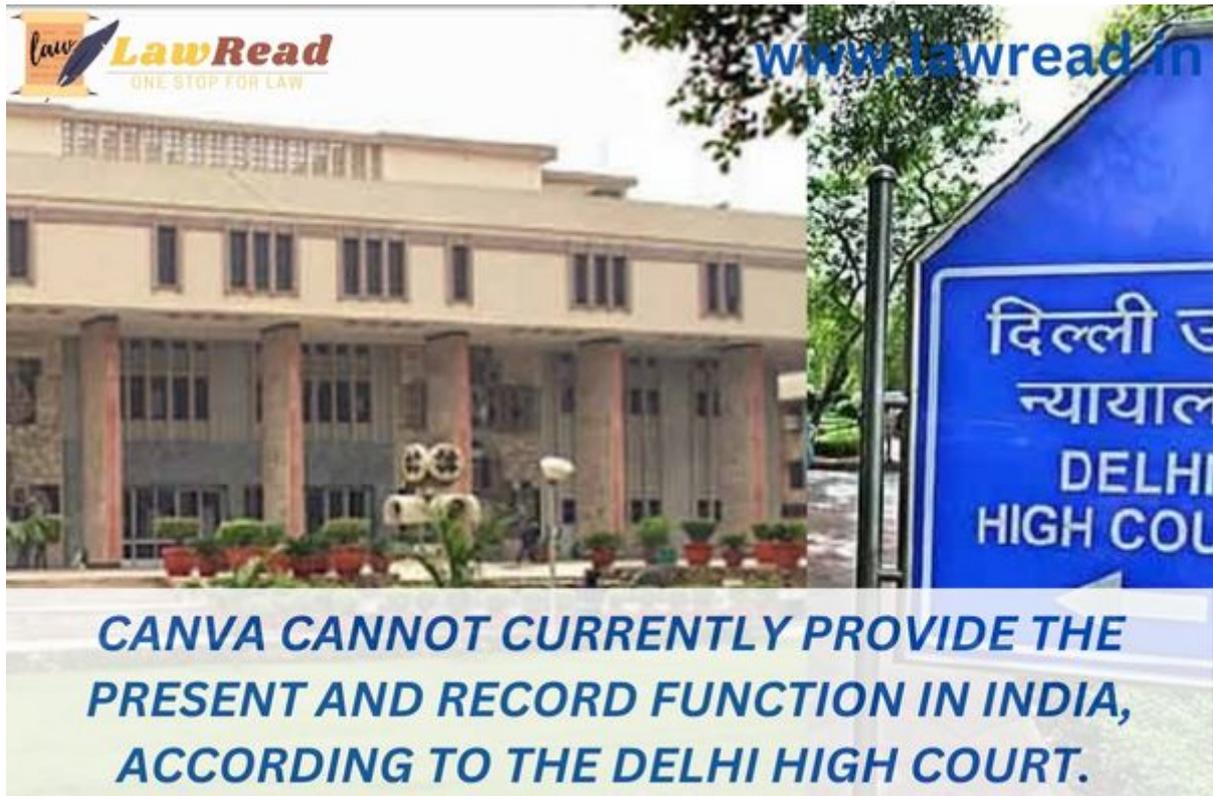


## News

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**Canva cannot currently provide the Present and Record function in India, according to the Delhi High Court.**



***Canva's "Present and Record" function duplicated the key components of its patented technology, according to RxPrism's patent lawsuit.***

In a patent infringement case involving technologies for producing and disseminating interactive material, the Delhi High Court decided against Canva on Wednesday [Canva v. RxPrism].

Canva's appeal against a single judge's July 18, 2023 order granting temporary protection to RxPrism Health Systems, the owner of a patent titled "***A system and a method for creating***

***and sharing interactive content rapidly anywhere and anytime,***" was dismissed by a bench of Justices Hari Shankar and Om Prakash Shukla. It was held. The learned Single Judge successfully interpreted the four contested claims of the Suit Patent and carried out a thorough claim mapping exercise, according to a close reading of the contested ruling. The knowledgeable Single Judge has made it clear that the features of the defendant's product must be compared with the patent specification's claims. Furthermore, the learned Single Judge once more cited the mapping of the Suit Patent claims when reaching a conclusion on the infringement issue.

***The technology startup RxPrism asserted that its patent covers a system that enables users to create interactive multimedia presentations by fusing interactive features like call-to-action elements and navigation tools with background content and a foreground audio-video overlay of the presenter. Additionally, post-recording adjustments and content sharing via a web link are made possible by the unique technology.***

RxPrism claims that Canva's 2020 "Present and Record" function duplicated the key components of this patented technique. The startup claimed that Canva proceeded to release the feature in India without permission, even after being made aware of the patent and given a commercial license.

An interim injunction prohibiting Canva from providing the functionality in India was obtained in July 2023 after a single judge of the Delhi High Court established a prima facie allegation of infringement. In addition, the Court ordered Canva to pay ₹5 lakh in costs and deposit ₹50 lakh as a security deposit for previous use.

Canva filed an appeal against this ruling.

***Canva contended before the Division Bench that the single judge had committed a legal error by misinterpreting the patent claims and determining infringement at the interim stage. It argued that the Court had relied on general functional similarity rather than a rigorous claim-by-claim analysis and that its product did not execute the fundamental components of RxPrism's patent.***

Citing prior art like Microsoft PowerPoint and Loom, Canva also presented a significant challenge to the patent's validity. It claimed that the innovation amounted to a computer

program, which is prohibited by Section 3(k) of the 1970 Patents Act.

***The Division Bench dismissed Canva's appeal, reiterating that unless discretionary orders awarding interim injunctions are demonstrated to be perverse or in violation of established legal principles, appellate courts should refrain from interfering.***

The Court determined that the sole judge had correctly applied the rules governing interim patent infringement analysis and claim construction on the merits. It was noted that when the key components of the patented innovation are stolen, small implementation changes do not negate infringement.

***Additionally, the Bench determined that Canva's validity challenge, while debatable, was insufficient to supersede the statutory rights resulting from a granted patent in the interim.***

As a result, the Bench affirmed the temporary injunction prohibiting Canva from offering the "Present and Record" function in India, as well as the directives mandating the payment of ₹5 lakh in expenses and a ₹50 lakh security deposit.

RxPrism's lawsuit alleging patent infringement will now go to trial.

Advocates Saikrishna Rajagopal, Sneha Jain, Victor Vaibhav Tandon, Shruti Jain, and Ayush Saxena represented Canva.

***Senior Advocate Swathi Sukumar represented RxPrism Health Systems alongside Advocates Kriti Ranjan, Vishal, Ritik Raghuvanshi, and Abhishek Ranjan.***