DELHI HIGH COURT BRINGS 25-YEAR "CELEBRATIONS" TRADEMARK DISPUTE TO A WHOLESOME CLOSE

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In a remarkable conclusion to one of India's longest-running trademark disputes, the order authored by Justice Sanjeev Narula of the Hon'ble High Court of Delhi, earlier this month, brought final closure to the Mars vs Cadbury CELEBRATIONS trademark dispute, ending a 25-year litigation between two titans of the confectionery world over the mark "CELEBRATIONS." [CS(COMM) 409/2018]

The matter, which had extended beyond the courtroom, with both parties expanding roots in the Indian Trade Marks Registry through multiple cross oppositions and rectifications, was also resolved before the Hon'ble Court, culminating in a full and final mutual settlement between the parties in the Mars vs Cadbury CELEBRATIONS trademark dispute.

What makes this resolution particularly meaningful is not only the conclusion of a prolonged rivalry over the standout reputation held by the parties but also the goodwill gesture that followed. In a symbolic act reflecting upon the contested word 'CELEBRATIONS', both companies voluntarily undertook to distribute assortments of their confectionery products or nutritionally balanced alternatives with an aggregate worth of INR 5 lakhs each to schools across Delhi, under the supervision of the Directorate of Education and the Delhi State Legal Services Authority. The Hon'ble Court expressly commended this act of cooperation and public spirit, observing that "true celebration lies not in triumph over another, but in generosity towards others."

The order is also noteworthy for its clarity and tone, blending judicial precision with humane perspective by recognizing that even the fiercest commercial contests can conclude in harmony when goodwill prevails.

The parties' respective global in-house IP teams played a pivotal role in achieving this resolution by proactively initiating settlement talks and negotiating the essential terms directly with each other.

Commenting on the outcome, Bence Bozóki, Senior IP Counsel, Mars Inc., remarked:

"This order is by far the most wholesome legal document I have ever read in my life. It is a beautiful conclusion of an important legal battle."

Such orders are a reminder that even the most hard-fought rivalries can find resolution when guided by the maturity of brand owners. It also goes on to show how Indian IP jurisprudence is evolving into a culture of responsible enforcement.

Advocates Pravin Anand, and Vaishali Mittal represented Mars Inc. and were ably assisted by Siddhant Chamola and Shivang Sharma.

Advocate Nancy Roy appeared for Cadbury.

KEY CONTACTS



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