A HAUS with a view

Thought Leadership • July 20, 2017

In a recent case before the Delhi High Court, a restaurant was restrained from using the plaintiff's mark HAUS – the German word for 'house' – in relation to its food delivery business. The plaintiff was operating food outlets with home delivery services in the National Capital Region under the trademarks ASIAN HAUS for pan-Asian cuisine and SUSHI HAUS for Japanese cuisine. The plaintiff adopted the ASIAN HAUS mark in 2012 and has a pending trademark application for this mark. The plaintiff planned to launch two more restaurants, which were to be named DILLI HAUS and AMMA HAUS for north Indian and south Indian cuisine, respectively. In March 2017 the plaintiff learned that the defendant was operating a restaurant called Masala House and proposed to introduce a food delivery outlet in the National Capital Region under the mark CURRY HAUS. The plaintiff issued a legal notice to the defendant asking it to refrain from using the HAUS mark. Settlement talks were held; however, no compromise could be reached and the plaintiff filed suit in April 2017. By this time, the defendant had already launched five CURRY HAUS delivery outlets. *Authored by Raunaq Kamath. The article was published on World Trademark Review.* To continue reading, contact us at email@anandandanand.com.

RELATED INDUSTRIES

CONTRACTUAL AND COMMERCIAL IP

RELATED PRACTICES

COPYRIGHT
PATENTS
TRADEMARK