Yet another Injunction against Infringement of the Well-known Trademark “TATA”

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Tata Sons Ltd. vs. Sandeep Arora CS (Comm) No. 222 of 2018 The suit was filed seeking an order of permanent injunction restraining infringement of trademark, passing off, costs, damages, etc. The Defendants were engaged in the business of manufacture and sale of iron binding wires under the name of Tata Blue Flames and were also using Tata Blue Flames as part of their corporate name. On 31.01.2014 an ad interim injunction order was passed against the Defendants by the Delhi High Court and thereafter a local commission was conducted at the premises and infringing products were seized. Thereafter, mediation proceedings were held and the matter was amicably resolved and the parties signed a memorandum of settlement which led the Delhi High Court to decree the suit in favour of the Plaintiff on 06.08.2019. The Delhi High Court decreed the suit it in terms of the memorandum of settlement and an order of permanent injunction was also passed against the Defendant restraining them from using the mark TATA or any other deceptively similar mark in future. The Defendant paid Rs. 1,50,000/- to the Plaintiff as token damages. The Defendant also agreed to destroy the infringing goods that were seized from him during the raid. The court also asked the Registry to refund 50% of the court fee paid by the Plaintiff. Team Anand and Anand: Pravin Anand, Achuthan Sreekumar and Akshay Agarwal.

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