RISK FACTOR IN RELIGIOUS MARKS: A STUDY OF FOUR MAJOR JURISDICTIONS-INDIA, CHINA, US, CANADA

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World Trademark Review in its recent report, "The risk factor in religious marks: a study of four major jurisdictions-India, China, US and Canada", sought Safir Anand's perspective on how religious names, symbols and references are considered by trademark examiners with regards to absolute grounds for refusal in India; what considerations should trademark professionals take when attempting to register marks relating to religious symbols; and how a trademark dispute over a mark seemingly related to religious iconography could be risky for brand value.

Safir, sending out a word of caution to businesses, stated that mitigating brand damage would only be possible if a cautious approach is taken when seeking to use a religious name or symbol as a trademark on the international stage. He shared, "A trademark that cannot be enforced to the fullest anticipated extent is indeed a stumbling block". With respect to the stance of the Indian courts, he added, "One may never know when somebody plans to knock on the doors of the court if their religious beliefs are hurt by your business name."

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