



Ritz-Carlton obtains permanent injunction against use of RITZ mark

News & Updates • August 3, 2016

In another swift resolution of a commercial case, the Delhi High Court decreed on the second date of hearing a suit for infringement, passing off and dilution of the trademark RITZ arising from adoption of a similar trademark 'Ritz Chateaux' in the real estate sector. The plaintiff was Ritz-Carlton Hotel Company, owners of the world-renowned RITZ-CARLTON hotels and the prestigious Ritz, Paris. The main defendant was Supertech Limited, a leading construction and real estate entity in India. The defendants had adopted the disputed mark containing 'RITZ' in relation to a project offering luxury residential villas. The suit cause of action was the high likelihood of confusion among consumers that the defendants were associated with or under some arrangement with the internationally famous Ritz hotel chain. The plaintiffs case was that not only was there an overlap of the defendants' project of residential villas with the plaintiffs' business of luxury hotels under the mark RITZ, but the plaintiffs themselves offered residential properties to consumers under the Ritz-Carlton Residences banner. The quick disposal of the suit was facilitated by the defendant's undertaking not to use the mark RITZ in any manner whatsoever in relation to their real estate, construction and related businesses. Similar successful outcomes have been achieved by domestic and foreign clients of the firm for brands like The Venetian, Pebble Beach, DLF, The Oberoi, Banyan Tree, etc. *The Ritz- Carlton Hotel Company LLC & Anr. v Mr. Ram Kishor Arora & Anr.*

