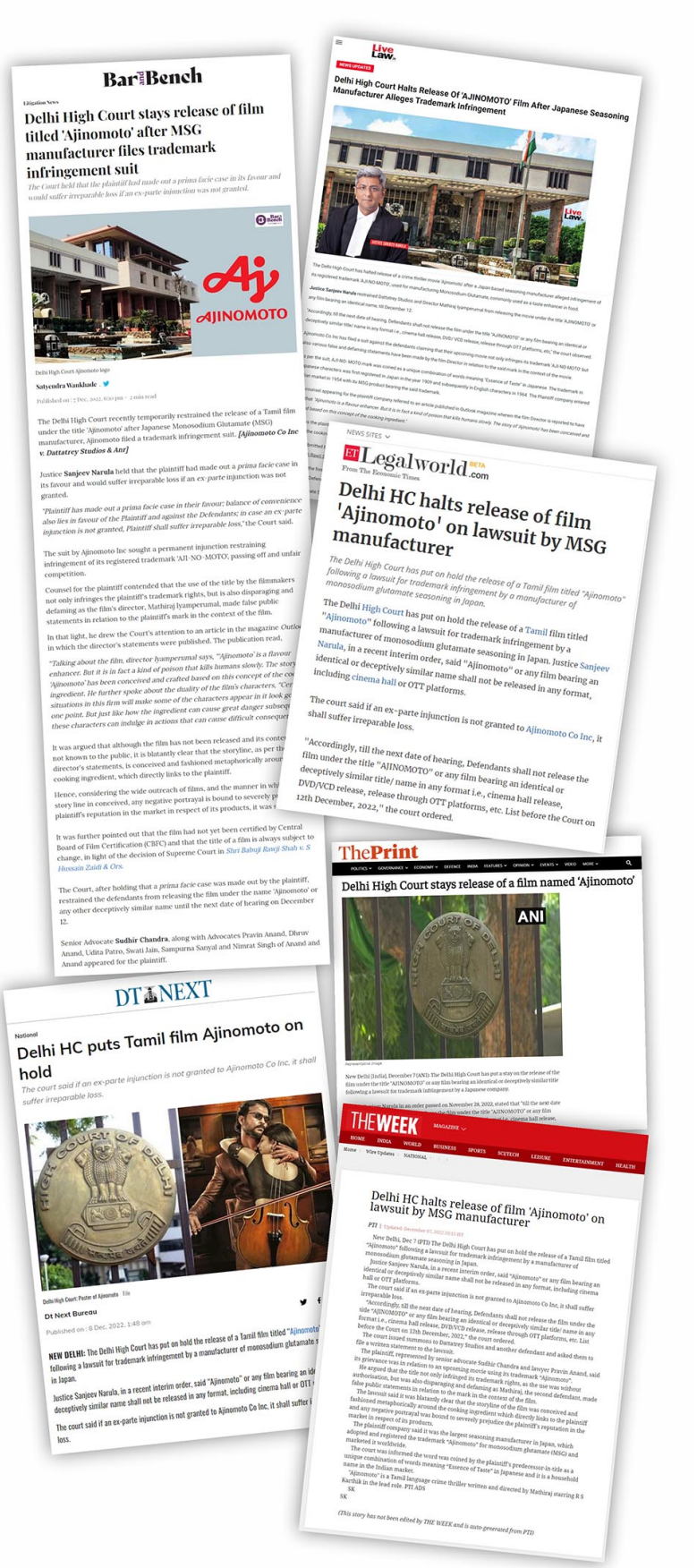
Delhi HC Stays Release of Film Named ‘AJINOMOTO’

News & Updates • December 15, 2022

Team Anand And Anand comprising Pravin Anand, Dhruv Anand, Madhu Rewari, Udita Patro, Swati Jain, Sampurnaa Sanyal and Nimrat Singh secure ex-parte injunction in favour of its client Ajinomoto Co., Inc. against infringement of mark ‘Ajinomoto’ being used as the title of a film. The Delhi High Court has restrained Defendants Dattatrey Studios from releasing their movie named ‘Ajinomoto’. The filmmaker had been using it as an oblique reference which was disparaging.



Bar & Bench

Litigation News

Delhi High Court stays release of film titled 'Ajinomoto' after MSG manufacturer files trademark infringement suit

The Court held that the plaintiff had made out a prima facie case in its favour and would suffer irreparable loss if an ex-parte injunction was not granted.

Delhi High Court Ajinomoto logo

Satyendra Wankhade

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The Delhi High Court recently temporarily restrained the release of a Tamil film under the title 'Ajinomoto' after Japanese Monosodium Glutamate (MSG) manufacturer, Ajinomoto filed a trademark infringement suit. ***[Ajinomoto Co Inc v. Dattatrey Studios & Anr]***

Justice **Sanjeev Narula** held that the plaintiff had made out a *prima facie* case in its favour and would suffer irreparable loss if an *ex-parte* injunction was not granted.

"Plaintiff has made out a prima facie case in their favour; balance of convenience also lies in favour of the Plaintiff and against the Defendants; in case an ex-parte injunction is not granted, Plaintiff shall suffer irreparable loss," the Court said.

The suit by Ajinomoto Inc sought a permanent injunction restraining infringement of its registered trademark 'AJI-NO-MOTO', passing off and unfair competition.

Counsel for the plaintiff contended that the use of the title by the filmmakers not only infringes the plaintiff's trademark rights, but is also disparaging and defaming as the film's director, Mathiraj Iyamperumal, made false public statements in relation to the plaintiff's mark in the context of the film.

In that light, he drew the Court's attention to an article in the magazine Outlo in which the director's statements were published. The publication read,

"Talking about the film, director Iyamperumal says, "Ajinomoto' is a flavour enhancer. But it is in fact a kind of poison that kills humans slowly. The story 'Ajinomoto' has been conceived and crafted based on this concept of the co ingredient. He further spoke about the duality of the film's characters. "Cer situations in this film will make some of the characters appear in it look go one point. But just like how the ingredient can cause great danger subsequ these characters can indulge in actions that can cause difficult consequer

It was argued that although the film has not been released and its conte not known to the public, it is blatantly clear that the storyline, as per th director's statements, is conceived and fashioned metaphorically arour cooking ingredient, which directly links to the plaintiff.

Hence, considering the wide outreach of films, and the manner in wh story line in conceived, any negative portrayal is bound to severely p plaintiff's reputation in the market in respect of its products, it was

It was further pointed out that the film had not yet been certified by Central Board of Film Certification (CBFC) and that the title of a film is always subject to change, in light of the decision of Supreme Court in *Shri Balaji Rimji Shah v. S Hussain Zaidi & Ors.*

The Court, after holding that a *prima facie* case was made out by the plaintiff, restrained the defendants from releasing the film under the name 'Ajinomoto' or any other deceptively similar name until the next date of hearing on December 12.

Senior Advocate **Sudhir Chandra**, along with Advocates Pravin Anand, Dhruv Anand, Udita Patro, Swati Jain, Sampurna Sanyal and Nimrat Singh of Anand and Anand appeared for the plaintiff.

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NEWS UPDATES

Delhi High Court Halts Release Of 'AJINOMOTO' Film After Japanese Seasoning Manufacturer Alleges Trademark Infringement

The Delhi High Court has halted release of a crime thriller movie 'Ajinomoto' after a Japan-based seasoning manufacturer alleged infringement of its registered trademark 'AJI-NO-MOTO', used for manufacturing Monosodium Glutamate, commonly used as a taste enhancer in food.

Justice Sanjeev Narula restrained Dattatrey Studios and Director Mathiraj Iyamperumal from releasing the movie under the title 'AJINOMOTO' or any film bearing an identical name, till December 12.

"Accordingly, till the next date of hearing, Defendants shall not release the film under the title "AJINOMOTO" or any film bearing an identical or deceptively similar name in any format i.e., cinema hall release, DVD/ VCD release, release through OTT platforms, etc," the court observed.

Ajinomoto Co Inc has filed a suit against the defendants claiming that their upcoming movie not only infringes its trademark 'AJI-NO-MOTO' but also various false and defaming statements have been made by the film Director in relation to the said mark in the context of the movie.

As per the suit, AJI-NO-MOTO mark was coined as a unique combination of words meaning 'Essence of Taste' in Japanese. The trademark in Japanese characters was first registered in Japan in the year 1909 and subsequently in English characters in 1964. The Plaintiff company entered the market in 1954 with its MSG product bearing the said trademark.

Counsel appearing for the plaintiff company referred to an article published in Outlook magazine wherein the film Director is reported to have said that 'Ajinomoto is a flavour enhancer. But it is in fact a kind of poison that kills humans slowly. The story of 'Ajinomoto' has been conceived and crafted based on this concept of the cooking ingredient.'

ET Legalworld.com BETA

From The Economic Times

Delhi HC halts release of film 'Ajinomoto' on lawsuit by MSG manufacturer

The Delhi High Court has put on hold the release of a Tamil film titled "Ajinomoto" following a lawsuit for trademark infringement by a manufacturer of monosodium glutamate seasoning in Japan.

The Delhi High Court has put on hold the release of a Tamil film titled "Ajinomoto" following a lawsuit for trademark infringement by a manufacturer of monosodium glutamate seasoning in Japan. Justice Sanjeev Narula, in a recent interim order, said "Ajinomoto" or any film bearing an identical or deceptively similar name shall not be released in any format, including cinema hall or OTT platforms.

The court said if an ex-parte injunction is not granted to Ajinomoto Co Inc, it shall suffer irreparable loss.

"Accordingly, till the next date of hearing, Defendants shall not release the film under the title "AJINOMOTO" or any film bearing an identical or deceptively similar title/ name in any format i.e., cinema hall release, DVD/VCD release, release through OTT platforms, etc. List before the Court on 12th December, 2022," the court ordered.

ThePrint

Delhi High Court stays release of a film named 'Ajinomoto'

ANI

New Delhi [India], December 7 (ANI): The Delhi High Court has put a stay on the release of the film under the title 'AJINOMOTO' or any film bearing an identical or deceptively similar title following a lawsuit for trademark infringement by a Japanese company.

Justice Narula in an order passed on November 28, 2022, stated that "till the next date of hearing, Defendants shall not release the film under the title 'AJINOMOTO' or any film bearing an identical or deceptively similar title/ name in any format i.e., cinema hall release, DVD/VCD release, release through OTT platforms, etc. List before the Court on 12th December, 2022," the court ordered.

DT NEXT

National

Delhi HC puts Tamil film Ajinomoto on hold

The court said if an ex-parte injunction is not granted to Ajinomoto Co Inc, it shall suffer irreparable loss.

Delhi High Court: Poster of Ajinomoto File

Dt Next Bureau

Published on : 8 Dec, 2022, 1:48 am

NEW DELHI: The Delhi High Court has put on hold the release of a Tamil film titled "Ajinomoto" following a lawsuit for trademark infringement by a manufacturer of monosodium glutamate in Japan.

Justice Sanjeev Narula, in a recent interim order, said "Ajinomoto" or any film bearing an identical or deceptively similar name shall not be released in any format, including cinema hall or OTT platforms.

The court said if an ex-parte injunction is not granted to Ajinomoto Co Inc, it shall suffer loss.

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Delhi HC halts release of film 'Ajinomoto' on lawsuit by MSG manufacturer

PTI | Updated: December 07, 2022 20:31 IST

New Delhi, Dec 7 (PTI) The Delhi High Court has put on hold the release of a Tamil film titled "Ajinomoto" following a lawsuit for trademark infringement by a manufacturer of monosodium glutamate seasoning in Japan.

Justice Sanjeev Narula, in a recent interim order, said "Ajinomoto" or any film bearing an identical or deceptively similar name shall not be released in any format, including cinema hall or OTT platforms.

The court said if an ex-parte injunction is not granted to Ajinomoto Co Inc, it shall suffer irreparable loss.

"Accordingly, till the next date of hearing, Defendants shall not release the film under the title "AJINOMOTO" or any film bearing an identical or deceptively similar title/ name in any format i.e., cinema hall release, DVD/VCD release, release through OTT platforms, etc. List before the Court on 12th December, 2022," the court ordered.

The court issued summons to Dattatrey Studios and another defendant and asked them to file a written statement to the lawsuit.

The plaintiff, represented by senior advocate Sudhir Chandra and lawyer Pravin Anand, said its grievance was in relation to an upcoming movie using its trademark "Ajinomoto".

He argued that the title not only infringed its trademark rights, as the use was without authorisation, but was also disparaging and defaming as Mathiraj, the second defendant, made false public statements in relation to the mark in the context of the film.

The lawsuit said it was blatantly clear that the storyline of the film was conceived and fashioned metaphorically around the cooking ingredient which directly links to the plaintiff and any negative portrayal was bound to severely prejudice the plaintiff's reputation in the market in respect of its products.

The plaintiff company said it was the largest seasoning manufacturer in Japan, which adopted and registered the trademark "Ajinomoto" for monosodium glutamate (MSG) and marketed it worldwide.

The court was informed the word was coined by the plaintiff's predecessor-in-title as a unique combination of words meaning "Essence of Taste" in Japanese and it is a household name in the Indian market.

"Ajinomoto" is a Tamil language crime thriller written and directed by Mathiraj starring R S Karthik in the lead role. PTI ADS

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(This story has not been edited by THE WEEK and is auto-generated from PTI)

KEY CONTACTS



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