



Delhi HC Stays Release of Film Named 'AJINOMOTO'

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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 Wadhwa
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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 Co Inc, filed a trademark infringement suit. *[Ajinomoto Co Inc v. Duttarey 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, Mathanjayaperumal, 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 *Outlook* in which the director's statements were published. The publication read:

"Talking about the film, director hamperumal 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 cooking ingredient. He further spoke about the duality of the film's characters. 'Cet situations in this film will make some of the characters appear in a look get one point. But just like how the ingredient can cause great danger subsequent these characters can indulge in actions that can cause difficult consequences'."

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

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

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 Babaji Bangi Shub 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 **Sudhi Chandra**, along with Advocates Pravin Anand, Dhiraj Anand, Ulita Patra, Swati Jain, Sampurna Sanyal and Nimit Singh of Anand and Anand appeared for the plaintiff.



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

The Delhi High Court has halted release of a Tamil film titled 'Ajinomoto' after a Japanese 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 Duttarey Studios and Director Mathanjayaperumal from releasing the movie under the title 'AJINOMOTO' or any film bearing an identical or name in any format i.e., cinema hall release, 2022 VCD release, release through OTT platforms, etc. The court ordered:

"Accordingly, till the next date of hearing, Defendants shall not release the film under the title 'AJINOMOTO' or any film bearing an identical or name in any format i.e., cinema hall release, 2022 VCD release, release through OTT platforms, etc. The court ordered:

"Ajinomoto Co Inc has filed a suit against the defendants claiming that the defendant movie not only infringes its trademark 'AJI-NO-MOTO' but also various false and defamatory statements have been made by the film Director in relation to the trademark 'AJI-NO-MOTO' and its use without the plaintiff's consent. 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.

The court said that 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 name in any format i.e., cinema hall release, 2022 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'

New Delhi, Dec 7 (PTI) The Delhi High Court has put a stay on the release of the film titled 'AJINOMOTO' or any film bearing an identical or deceptively similar title following a lawsuit for trademark infringement by a Japanese company.

The court said it was 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 in any format i.e., cinema hall release, 2022 VCD release, release through OTT platforms, etc. List before the Court on 12th December, 2022," the court ordered.

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

The plaintiff, represented by senior advocate Sudhi Chandra and lawyer Pravin Anand, said the movie 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 the plaintiff's consent, but was also disparaging and defaming as Mathaji, the second defendant, made false public statements in relation to the mark in the context of the film.

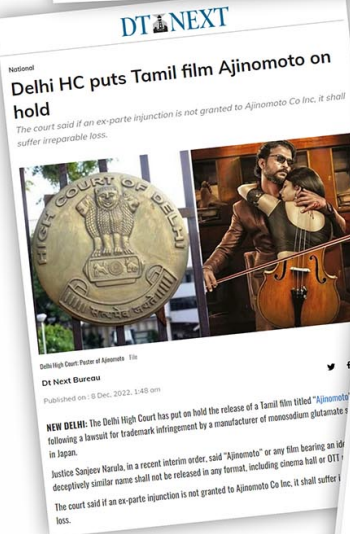
The lawsuit said it was blatantly clear that the storyline of the film was conceived and fashioned metaphorically around the cooking ingredient which directly links to the plaintiff and any negative portrayal was bound to severely prejudice the plaintiff's reputation in the market in respect of its products.

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 name in the Indian market.

'Ajinomoto' is a Tamil language crime thriller written and directed by Mathanjayaperumal & Anr.

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



DT NEXT
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.

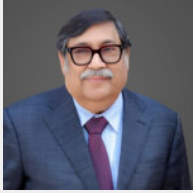
NEW DELHI: The Delhi High Court has put on hold the release of a Tamil film titled 'Ajinomoto' following a lawsuit for trademark infringement by a manufacturer of monosodium glutamate in Japan.

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.

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



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