

MARKETS, FINANCE & ECONOMY

Mumbai HC restrains Amul from using American Dry Fruits trade mark

The Gujarat Co-operative Milk Marketing Federation, (GCMMF) manufacturer of Amul products, was challenged by M H Foods Pvt. Ltd., on account of the use of



the trade mark American Dry Fruits. The "American Dry Fruits" brand name belongs to M H Foods. Hence a Suit was

filed by M H Foods Pvt. Ltd against GCMMF in the High Court, Mumbai to prevent the use of the trade mark by GCMMF on its dry fruits ice cream. GCMMF having no other option settled the matter with M H Foods and as per the terms of consent filed before the High Court, Mumbai, GCMMF has agreed to discontinue the use of the trade mark "American Dry Fruits" for the ice creams launched by it some time during Jan 2007 in the Indian market. It will be interesting to note here that Amul has recently fought with few established brand name including Sugar Free (belongs to Cadilla Pharma) and now it was a turn of American Dry Fruits. In order to promote their products which are sugar free, GCMMF adopted the trade mark "Sugar Free" of Cadilla Pharma. Since the goods of GCMMF were being sold within the jurisdiction of the High Court, Delhi, Cadilla, filed a suit against them for the violation of its rights in the trade mark "Sugar Free", and succeeded in getting an injunction against GCMMF. However, GCMMF has gone in appeal against the order of the High Court, Delhi.