



Well Known Marks

Serial No.	Trademark	Proprietor	Determining Authority	Report	Observation
1	7 O'CLOCK for shaving razors	Gillette U.K. Ltd., England	Bombay High Court	1998 PTC 288 DB	It is recognized that trade mark 7O'Clock is well known. As such the use of the mark in respect of tooth brush will lead to passing-off.
2	AIWA	Sony Corpn., Japan	TMR, Chennai	Decision dated 26-09-2007	AIWA is a well-known trade mark in India in respect of electronic goods. Use of this mark without due cause for any other products would be likely to deceive or cause confusion, unfair advantage and be detrimental to the distinctive character and repute of mark.
3	BAJAJ	Bajaj Electrical Limited	High Court, Bombay	AIR 1988 BOM-167	The use of a family name Bajaj by defendants was held to be an act of passing-off.

					The goodwill and reputation of Plaintiff company was recognized.
4	BATA & BATA FOAM for footwear	Bata India Ltd.	Allahabad High Court	AIR 1985 ALLAHABAD 242	The plaintiff company Enjoy a reputation for its products.
5	BENZ	Daimler Benz	High Court Delhi	1994 PTC 287	Reputation extends worldwide.
6	BISLERI	Acqua Minerals Ltd.,	High Court of Delhi	2001 PTC 619	BISLERI is well-known in the Indian market and one of the first marks introduced for bottled mineral water. The defendant who was held to have adopted the domain name Bisleri with the intention to trade on the plaintiffs reputation and goodwill, was restrained.
7	CARREFOUR	Carrefour Society Anonyme, organized under the laws of France	High Court of Madras	2007 (35) PTC 225	The trade mark /name used by the applicant for 47 years throughout the world has to be protected, in order to promote commercial morality and discourage unethical trade practices. Plea of well-known trade mark is accepted.
8	CARTIER for wide variety of goods including jewellery, watches, perfumes etc.	Cartier International, B.V, Netherlands	High Court, Delhi.	2003(26) PTC 160(Del)	Trade Mark Cartier in respect of various consumer goods have acquired a reputation for quality not only in India, but throughout the world. Plaintiff

					company has acquired brand image and personality in respect of their products. Permanent injunction granted.
9	CATERPILLAR	Caterpillar Inc., USA	Madras High Court (DB)	1998IPLR 326	Name Caterpillar in respect of heavy vehicles and the name has earned reputation & goodwill world wide.
10	CHARLIE	Revlon Inc.	High Court of Delhi	1997 PTC 394	Defendants intention was fraudulent and dishonest to encash upon reputation and goodwill of products of plaintiff. Injunction granted.
11	DR.REDDY In respect of pharmaceutical products.	Dr.Reddy Laboratories	High Court, Delhi.	2004 (29) PTC 435	Trade Mark PR.REDDY, in spite of not being registered, has acquired considerable trade reputation and goodwill in the community dealing with drugs and pharmaceuticals not only in India, but abroad also.
12	DUNHILL	Alfred Dunhill Limited, U.K.	High Court of Delhi.	1999 PTC 294	Plaintiff has prima-facie established a distinctive reputation, image and goodwill in the trade mark and trade name DUNHILL. Plaintiff has acquired global reputation.
13	ENFIELD BULLET	Enfield India Ltd.	IPAB	2006(32) PTC 397	BULLET is a well known trade mark. It cannot be

					permitted to be copied even in respect of different goods. Appeals against Registrar's decision allowed.
14	EVIAN Mineral Water	Society Anonyme Des Eavx Minerals 'D' Evian	Delhi High Court	1993 PTC 103	Evian acquired excellent reputation and goodwill world over. Said reputation and goodwill extended to India. Mark acquired high degree of distinctiveness. Para 3 & 4 exparte order.
15	FEDDERS For air conditioners	Fedders North America	High Court, Delhi	2006(32) PTC 573	Defendants cannot be permitted to cash in on the international reputation of the plaintiffs. Injunction granted.
16	For electrical goods	Whirlpool Corporation,USA	High Court, Delhi	1996 PTC 476	A product and its trade name transcends the physical boundaries of a geographical region and acquires a trans-border or overseas or extra-territorial reputation not only through import of goods but also by its advertisement. The knowledge or the awareness of the goods of a foreign trader and its trade mark can be available at a place where goods are not being marketed Injunction granted.
17	GLAXO	Glaxo India Ltd.	High Court, Delhi	2002 (25) PTC 105	GLAXO is an invented word. By original adoption,

					registration, long and continuous user, plaintiff alone is entitled for the exclusive use of the trade mark GLAXO and no one else.
18	HAYWARDS 5000 For alcoholic	Shaw Wallace & Co. Ltd.	High Court, Delhi	2003 (27) PTC 63	The defendants used numeral 5000 in respect of 3e*r to cash in on vide reputation and goodwill butf. ovet the years by the plaintiffs. Interim injunction confirmed.
19	HOLIDAY INN	Holiday Inn Inc.	High Court, Delhi.	2002(25) PTC 308 (DB)	Words HOLIDAY INN have been adopted by appellat to ride on global reputation of the respondent Commercial goodwill and global reputation should W be allowed to be exploited in a clandestine marine -. Appeals dismissed.
20	HONDA	Honda Motor Co. Ltd.	WIPO Arbritation & Mediation Centre	2004(28) PTC 332	Trade Mark HONDA is famous around the globe.
21	HONDA For motor cycles, motor cars etc.	Honda Motors Company Ltd.	High Court, Delhi.	2003 (26) PTC1	Plaintiffs business is of international character and reputation .Trade mark Honda has a global reputation.
22	HORLICKS For	Horlicks Limited.	High Court,	2003(26) PTC 241(Del)	Suits for injunction filed

	food products, malted biscuits, toffees. See also similar case		Delhi	2002(25) PTC 504 2003 (26) PTC 241	against various companies by the plaintiffs, injunction orders have been passed and most of the suits have been decreed in favour of the plaintiffs. (Under Section 11(6) record of the successful enforcement of the rights in that trademark is a relevant consideration) Use of mark by the defendant is a flagrant and blatant attempt to imitate plaintiffs trademark.
23	Hamdard	Hamdard National Foundation (Hamdard Davakhana)	High Court of Delhi	2008 (38) PTC 109	The defendant took a calculated risk in using the HAMDARD word and eye mark; indeed its use of the eye mark points to an attempt to "free ride" on the plaintiffs reputation.
24	INTIMATE	Revlon Inc.	High Court of Delhi	1997 PTC 394	Defendants intention was fraudulent and dishonest to encash upon reputation and goodwill of products of plaintiff. Injunction granted.
25	Infosys	Infosys Technologies Ltd.	High Court of Delhi	2007 (34) PTC 178	The owners has established expenditure of 392 crores towards sales promotion marketing expenses and brand building during 2004-05 alone. It has established an

					enviable reputation and goodwill in the market nationally and international level.
26	Intel	Intel Corporation	High Court of Delhi	2007 (34) PTC 492	Famous and well-known trademarks especially those that embody a reputation of pre-eminent excellence and quality, as plaintiffs Intel trademark, are required to be given a broad protection.
27	KANGARO	Kangaroo Industries	District Court of Central Jakarta	2004 (29) PTC 175	Mark declared as well known mark.
28	KIT KAT	Societe Des Produits Nestle,S.A.,1800 Vevey,Canton of Vaud,Switzerland.	IPAB	Judgement in TA/1/2007/TM/DEL/(C.M.(M)) No. 148 of 2002) dt. 11/12/2009	KIT KAT is a Well-known having trans-border reputation.
29	LETTER*T IN A CIRCLE House mark	Tata Engineering & Locomotive Co. Ltd.	IPAB	2006 (32) PTC 296	Respondents who have established their reputation and goodwill in automobiles and several other goods are entitled to have the trade mark safeguarded. BENZ case applied.
30	Logo *M' in the distinctive style and design of the famous golden arches	McDonald's Corporation, U.S.A.	High Court of Karnataka.	1999 PTC 9	The Logo 'M' is a well-known and famous logo and courts have recognized the existence of trans-border reputation.

31	MAHINDRA & MAHINDRA	Mahindra & Mahindra Ltd.	Supreme Court	2002 (24) PTC 121	Mark is in use for five decades. The name has acquired a distinctive secondary meaning in the business or trade circles.
32	MARS for chocolates, confectionery etc.	Mars Incorporate, USA	High Court, Delhi	2003(26) PTC 241(Del) 2002(25) PTC 504 2003 (26) PTC 241	Use of mark by the defendant 'is a flagrant and blatant attempt to imitate plaintiffs r.itfrk.
33	NIRMA See also Sl.No.32	Shantaben I Karasanbhai Patel and Others	High Court of Delhi	2001 PTC 427	NIRMA is an invented word. It has acquired great reputation. The owners have been spending huge amount on advertisement for their trade mark. Their sales in relation to various goods are mounting every year.
34	NIRMA for washing & cleaning preparations	S.K.Patel	IPAB	2004(29) PTC 634	The principle laid down by various courts was applied namely where a regd. Trade mark has got reputation & goodwill they cannot be permitted to be used by another person even in respect of different goods.
35	NIVEA	Beiersdorf A.G.	High Court Delhi	2009 (39)PTC 38	Nivea is a recognized product of high quality and has international reputation and recognition. These are marks where the line between the goods and the name is

					blurred. The mark starts to represent the source or the person than merely a particular are specific type of goods or services. .
36	ODONIL & ODOMOS For mosquito repellants	Balsara Hygiene Products.	High Court, Madras (DB)	2004(29) PTC 226	Plaintiff has built up reputation in the mark, goodwill & huge sales turnover.
37	OMEGA	Omega S.A., Bienne, Switzerland	High Court, Madras	2003 27 PTC 327	The Plaintiff company has been using the trade name OMEGA for more than 50 years and has enjoyed reputation for its products.
38	PANADOL & PANADOL EXTRA	SmithKline Beecham Pic.	High Court of Delhi	2001 PTC 321	Defendants deliberately used Plaintiffs well known mark.
39	PEPSI	Pepsi Inc.	RTM, Kolkata	2006(32) PTC 225	Pepsi enjoys a huge reputation and goodwill not only in India but also internationally .
40	PHILIPS	Philips NV Netherlands	Punjab & Haryana High Court	AIR 1983 P&H418	Is a household mark and has acquired enviable reputation in India and throughout the world.
41	PIZZA HUT Logo in respect business relating to restaurants	Pizza Hut International LLC, USA	High Court, Bombay	2003(26) PTC 208(Bom)	Plaintiffs enjoy a worldwide reputation, including in India. It is settled law that if the marks/logos enjoy a trans border reputation, they are entitled to be protected

					against infringement and passing off in India.
42	PLAYBOY for magazine and several other goods	Playboy Enterprises Inc.,	High Court of Delhi	2001 PTC 328	Plaintiff has demonstrated its strength due to the degree of distinctiveness, fame and reputation of the trade mark Playboy. The trade mark acquired world wide circulation and publication in as many as 16 foreign countries.
43	RED BULL	Red Bull GmbH	WIPO	2003(27) PTC 164	Trade Mark RED BULL is one of the best known trade marks not only in Austria but all over the world. Registration of domain name by the respondents was held to be in bad faith.
44	REVLON	Revlon Inc.	High Court of Delhi	1997 PTC 394	Defendants intention was fraudulent and dishonest to encash upon reputation and goodwill of products of plaintiff. Injunction granted.
45	TACO BELL for Restaurant business	Taco Bell Corporation, USA	High Court, Bombay	2000 PTC (20) 554	Plaintiff operated over 6000 restaurant worldwide using name taco bell as logo. Mark registered in more than 70 countries including India in classes 29 & 30. Defendants intention was to trade upon the famous mark of the

					plaintiffs.'
46	TATA SEE also TATA CASE	Tata Chemicals Limited	High Court, Delhi WIPO	2003 (27) PTC 422 2004 (29) PTC 522 (Delhi) 2001(21) PTC 129 2009 (40) PTC 54	The trade mark TATA is a household name in respect of various products all over India. TATA is a household word in India and solely and exclusively associated with the House of Tata. TATA is a well known mark. In the decision list of cases where enforcement of rights have succeeded is given.
47	TELCO	Tata Engineering and Locomotive Co. Ltd.,	TMR Chennai	2001 PTC 562	TELCO mark has gained transborder reputation and goodwill. The mark is identified with the owners and their products throughout India as well as various countries in the world.
48	TOSHIBA	Toshiba Corporation, Japan.	TMR, Ahmedabad	2005 (30) PTC 188	TOSHIBA held as a well known mark and registration cannot be rectified for non-use.
49	USHA For sewing machines, electric fans etc.	Not given	IPAB	2004(29) PTC 647	The respondent had built up long reputation and goodwill in India as well as abroad. The same cannot be permitted to be benefited by the appellant in respect of different goods or by different architecture or design.

50	VICKS VAPO RUB	Richardson Vicks Inc.	High Court, Delhi	1990 PTC 16	Prima facie the mark as well as bottles distinctive labels and metal containers have become well known and acquired a great reputation (para 32).
51	VOLVO for automobiles	Aktiebolaget Volvo	High Court (DB) Bombay	1998 PTC (18) 47	Trans-border reputation is recognized by Indian courts and that actual sale in India is not necessary for a Plaintiff to establish its goodwill and reputation in India.
52	WHIRLPOOL	Kirloskar Proprietary Limited	High Court, Bombay	AIR 1996 BOM-149	The mark KIRLOSKAR used by the plaintiff had acquired a secondary meaning and had become a household word. Sec.34 of Trade Marks Act could not come to the rescue of defendants.
53	WOOLWORTH In respect of clothing etc	F.W.Woolwor th Company	IPAB	2004 (29) PTC 477	Trans-border reputation enjoyed by the mark WOOLWORTH is not something to be not taken account of. The world wide reputation of the mark was recognized.
54	Yahoo	Yahoo, Inc.	High Court of Delhi	1999 PTC 201	The services of the Plaintiff under the Trade Mark/Domain name 'Yahoo' have been widely publicized and written about globally.

55	Polo (label with device of polo player)	POLO/LAUREN COMPANY IP (USA)	High Court of Delhi	Decision dated 19.12.2011 in CS(OS) 1763/2005	Having regard to the evidence placed on record the plaintiff has established that the registered trademark of the plaintiff is a well-known mark as defined in Section 2 (z) (g) of the Trade Marks Act
56	GE Monogram	General Electric Company (USA)	High Court of Delhi	Decision dated 21.12.2011 in CS(OS) 1284/2006	It can hardly be disputed that GENERAL ELECTRIC as well as GE whether written in plain letters or in a stylized form such as monogram are well known marks of the plaintiff within the meaning of Section 2 (z) (g) of the Trade Marks Act
57	KALPATARU	Kalpataru Properties Private Limited, Santacruz Mumbai	Bombay High Court	Suit No 2976 of 2010 decided on 29th July 2011	"The Plaintiffs have thus established that 'Kalpataru' is a well known mark " . "I have held above the plaintiff's mark "KALPATARU" to be a well known mark"
58	Castrol	Castrol Limited	Delhi High Court	Judgement in Suit No. CS(OS) 1369/2006 Decision dated 18/08/2011	High court observed CASTROL is a well known Trade Mark within the meaning of Sec. 2(1) (zg) read with Sec. 11(6) of TM Act 1999.
59	Lupin	Lupin Limited	Bombay High Court	Judgement in Suit (L) No. 3137/2011 Decision dated	The High Court observed Lupin, a Well Known Trade mark.

				05/12/2011	
60	Canon	Canon Kabushiki Kaisha, Japan	IPAB	Order in OA/43/2005	The Appellate Board Concluded that CANON mark is a well known term under Sec. 11(10) of TM Act 1999.
61	Microsoft	Microsoft Corp.	Delhi High Court	Judgement in Suit No. CS(OS) 2163/2010 order dated 03/02/2014	Court has specifically determined that Microsoft is a well-known trademarks and it is known to the most of the people.
62	Nestle	Societe des produits Nestle S.A.	Delhi High Court	Judgement in Suit No. CS(OS) 551/2010 dated 08/03/2013	Court has specifically determined that Nestle is a well-known trademarks
63	BBC	British Broadcasting Corporation	High Court, Delhi	CS (OS) 1171/2007	Honøble Court has determined the mark as a well-known in Indian Territory in its observation
64	Dupont	E. I. du Pont de Nemours and Company	High Court, Delhi	CS (OS) 2998/2012	Honøble Court has determined the mark as a well-known in its observation
65	Candid	Glenmark Pharmaceuticals Ltd.	High Court, Mumbai	Suit No. 182/2013	Honøble Court has determined the mark as a well-known in its observation
66	AMUL	Kaira District Co-Operative Milk Producers Union Ltd.	IPAB	OA/56/2011/TM/KOL	The IPAB Emphasised AMUL as a well-Known Trademark.
67	Rajnigandha	Dharmpal Satyapal Ltd.	High Court, Delhi	CS (OS) 381/2012	Honøble court observed that Plaintiff has established the mark as a well known

					trademark.
68	Louis Vuitton	Louis Vuitton Malletier	High Court, Delhi	CS (OS) 270/2014 and CS (OS) 90/2006	Honøble Court has determined the mark known in Indian Territory in its observation