

Trademark dispute victory for Dr Reddy's

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Singapore: Leading India drug maker Dr Reddy's Laboratories Limited has won a trade mark dispute related court case filed against New Delhi based Reddy Pharmaceutical Limited. Hearing the case, the Intellectual Property Appellate Board (IPAB) ordered the Registrar of Trademarks to remove the registered trade mark 'Reddy' from the latter's title.

Hyderabad based Dr Reddy's Laboratories Ltd had filed an application and the bench followed this up by the above order. It said that, "Reddy Pharma's adoption of the impugned mark is in every way a willful misrepresentation to the customer."

Dr Reddy's Laboratories sought to expunge the mark, 'Reddy', as the adoption was not honest and would cause confusion in the market in its application before the IPAB.

Reddy Pharmaceutical on the other hand submitted that its mark was based on the name of its founder Konda Raghu Rami Reddi, denying averments made by the applicant. The company also said it had been engaged in the business of marketing pharmaceutical preparations basic drugs and medicinal formulations since 1996.

Dr Reddy's adopted the trade mark 'Dr. Reddy's' in 1984 when it was established by K Anji Reddy and had started using it from then onwards. The company had applied for the registration in 2001. However, the Registrar of Trade Marks granted registration under the name of 'Reddy' in favour of Reddy Pharmaceutical Limited in 2005 in respect of 'medicinal and pharmaceutical preparations'.

The Bench said, "The Reddy Pharmaceutical Limited deliberately adopted the impugned mark, 'Reddy', to deceive the public, and is in every way a willful misrepresentation to the customer." The Bench further said that the mark should not remain on

the register.