

Delhi HC declares Boroline 'well-known trademark', restrains imitation of its 'trade dress'



STATE TIMES NEWS

NEW DELHI: The Delhi High Court has declared 'Boroline' a 'well-known trademark' under the Trade Marks Act, and directed a company to change its "trade dress" so that it does not appear similar to the antiseptic cream which has become a "household name" in the country.

The court stated that the 'Boroline' trademark has immense goodwill and popularity in the market and it is recognised not only in India but also in other countries like Oman and Turkey.

The court passed the ruling on a lawsuit by G D Pharmaceuticals Pvt Ltd, which owns and sells over-the-counter antiseptic cream Boroline, against the manufacture and sale of a "deceptively similar" product called 'Borobeauty'.

The plaintiff company argued that Cento Products (India) adopted Boroline's "trade dress" i.e. "distinct dark green tube ending in an octagonal black cap" for its soothing cream, which was in violation of the intellectu-

al property law.

Restraining the manufacture and sale of 'Borobeauty' in its infringing form, the court directed the defendant to change its "trade dress" and trademark to something which is "totally distinct and different from the plaintiff's well-known trademark and "trade dress".

"The defendant is directed to change its trade dress and trademark, which shall be totally distinct and different from the plaintiff's well-known trademark and trade dress. The defendant shall not use the trade dress of dark

green colour, which is used by the plaintiff. Further, the defendant shall adopt a new trade name, which would not include the prefix 'BORO' and would not be similar to the trademark of the plaintiff, 'BOROLINE,'" said Justice Mini Pushkarna in the judgement passed earlier this month.

It also directed the defendant to pay a cost of Rs 2 lakh to the plaintiff.

"This court is of the view that the plaintiff's trademark qualifies as a well known trademark. There is no denying the fact that 'BOROLINE' has attained the status of a household name, and is one of the oldest trademarks, which has been in continuous use, preceding the independence of India," the judge said.

"The trademark 'BOROLINE' of the plaintiff, is declared as a well-known trademark under Section 2(1)(zg) and Section 11(2) of the Trade Marks Act, 1999. Accordingly, it is directed that the Registrar of Trademarks shall add the same to the list of well-known

trademarks, upon the plaintiff completing the requisite formalities," the court ordered.

The court noted that the 'Boroline' trademark has been in extensive use for more than 90 years and the plaintiff has many trademark registrations in its favour; the first date of registration being in 1949.

"The duration of the use of the trademark 'BOROLINE', can be gauged from the document showing the advertisement o SC asks CAQM chairperson to explain steps to curb stubble burning, pollution

f the product under the mark 'BOROLINE', as occurring in newspaper on 15th August, 1947, the day our country attained independence, observed the court.

It also took into account the various awards given to the plaintiff over several years as well as the "considerable amounts" that was spent for advertising and promoting the products under 'Boroline' trademark.

Collapsed statue of Shivaji Maharaj was built by Navy; govt to install bigger one there: Fadnavis

STATE TIMES NEWS

MUMBAI: Maharashtra

Chief Minister Devendra Fadnavis on Tuesday said the statue of Chhatrapati Shivaji Maharaj which collapsed in Sindhudurg district a day ago

was built by the Navy, but the state government has now decided to install a bigger statue of the Maratha warrior king at the same place.

The 35-foot statue of the 17th century Maratha empire founder, unveiled by Prime Minister Narendra Modi at Rajkot fort in Malvan tehsil of Sindhudurg on Navy Day (December 4) last year, collapsed on Monday afternoon.

Speaking to reporters here, Fadnavis said, "The construction of the statue was not overseen by the state government but by the Navy.

The individuals responsible

for the fabrication and installation of the statue might have overlooked important local factors such as high wind speed and the quality of the iron used.

The statue might have become more prone to rust due to its exposure to ocean winds."

It is a question now whether the makers of the statue had comprehended all these factors before making it, the senior BJP leader said.

"It is our resolve to build a bigger statue of Chhatrapati Shivaji Maharaj at the same site," he added.

An inquiry into the statue collapse incident was underway, he said.

Asked about the opposition parties targeting the state government over the incident, Fadnavis said, "The collapse of the statue is painful, but the

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Ph.No. +91-191-2541818, Fax +91-191-2541818 Website: www.jammu.gov.in	
Email: entjammu@nic.in	
Subject: General Election to Legislative Assembly, 2024- Fixation of rates for Expenditure Monitoring in respect of district Jammu.	
ORDER	

In connection with fixation of rates for different items including food, Beverages, Publicity Materials, Public Address System, Banquet Halls, etc. for the purpose of Election Expenditure Monitoring of the contesting candidates/political parties during the course of campaigning in connection with General Election to J&K Legislative Assembly, 2024, the rates are fixed as per Annexure-A.

SDI-
(Sachin Kumar Vaishya) IAS

By order.
DIP/J-4741/24
DATE:27-08-2024
No: ENT/J/2024-25/12535-57
Dated: 24-08-2024

Rate For Tent House Items

S.NO	NAME OF ITEM	Rate Notified (In Rs.)
1	CEILING FANCY 15X15	345
2	CEILING WHITE 15X15	345
3	CURTAIN WHITE	125
4	CURTAIN COLOURED FANCY	140
5	KANAT COLOURED FANCY	100
6	KANAT WHITE	110
7	POLE COVER	30
8	TRIPAL 15X15	330
9	MAT 30X3	130
10	DRUGGET	130
11	DURET 12X10	225
12	KALEEN	155
13	KALEEN 15X5	220
14	CHADDER PRINT/MASNAND	90
15	CHADDER WHITE	105
16	DURRIE	55
17	CARPET PASSAGE 30 LENGTH	265
18	CHAIR (PLASTIC)	10
19	CHAIR (CUSHIONED)	30
20	FULL CHAIR OVER WITH BOW	40
21	TABLE 5x25	110
22	TABLE CLOTH PER TABLE	25
23	TABLE JHALLER PER TABLE	26
24	TABLE ROUND 4.5 (DIA)	160
25	TABLE ROUND COVER	115
26	TABLE BASIN (SUMICA)	130
27	WASH BASIN (STEEL)	190
28	TAKHAT POSH 4X4	200
29	GAS BHATTI (SINGLE BURNER)	120
30	PATILA WITH LID	120
31	KARAM SET (WITH POONI & TENTHA)	180
32	KARSHI (Big)	25
33	KARSHI (SMALL)	15
34	BALTI	35
35	CHIRIMACHI	35
36	TUB	45
37	PARAT	50
38	PLASTIC DUSTBIN	40
39	WATER DRUM (FULL)	180
40	WATER DRUM (HALF)	60
41	FULL PLATE(MELAMINE)	7
42	FULL PLATE (BONE CHINA/GLASS)	5
43	O. PLATE (BONE CHINA/GLASS)	12
44	COFFEE MUG (CROCKERY ORDINARY)	8
45	COFFEE (BONE CHINA)	12
46	CUP & SAUER (CROCKERY ORDINARY)	10
47	CUP & SAUER (BONE CHINA)	14
48	DONGA/RICE PLATE (STEEL)	25
49	DONGA/RICE PLATE (BONE CHINA/GLASS)	40
50	TEA POT (STEEL)	35
51	TEA POT (CROCKERY ORDINARY)	30
52	TEA POT (BONE CHINA)	40
53	MILK POT /SUGAR POT (STEEL CROCKERY)	20
54	MILK POT /SUGAR POT (BONE CHINA)	22
55	JUG (STEEL)	25
56	JUG (GLASS)	30
57	GLASS (STEEL)	6
58	GLASS TUMBLER PLAIN	6
59	GLASS FANCY	10
60	THALI (STEEL)	10
61	ICE CUBE CONTAINER	45
62	SNACK WARMER	45
63	TEA CONTAINER	150
64	SERVICE TRAY	30
65	RE-SHEFFING DISHES (NORMAL SIZE)	100
66	RE-SHEFFING DISHES (BIG SIZE)	135
67	RE-SHEFFING DISHES (HOTEL WARE)	230
68	SPoon (ORDINARY)	2
69	BABY SPOON/TEA SPOON	2
70	TABLE SPOON	3
71	SERVICE SPOON	5
72	SERVICE SPOON BONE CHINA	7
73	FORK/KNIFE	5
74	SALAD PLATER STEEL	30
75	SALAD PALTE (BONE CHINA)	35
76	MATTRESS (ORDINARY)	30
77	MATTRESS(FOAM)	40
78	RAJAI WITH OVER	40
79	PILLOW WITH COVER	15
80	BED SHEET SINGLE (PRINT)	30
81	BED SHEET SINGLE (WHITE)	30
82	COFFEE MACHINE	875
83	FAN PEDESTAL	180
84	FAN PEDESTAL WITH WIRE CONNECTION	185
85	SOFA SET 2 SEATER	1000/-
86	SOFA SET 3 SEATER	1500/-
87	SOFA SET SUPERIOR	2000/-
88	Stage with Decoration	15000/- Per function
89	Water Tank (JMC)	900/-
90	Lecture Dice	600/- per dice
91	Disposable Items, i.e glass, plates, bowls, cups	60/120 Per Cup
92	Water Camper	70/- Per Camper
93	Glass Tubmers	8/Pc
94	Mesh Wire of width ranging from 3-5 feet	
95	G.I Pipe:-	
96	1/2 15 mm dia	92/mtr
97	3/4" mm dia	114/mtr
98	1" 25 mm dia	155/mtr
99	1 1/4" 32 mm dia	187/mtr
100	1 1/2" 40 mm dia	245/mtr
101	2" 50 mm dia	295/mtr
102	angle iron	75/kg
103	Steel Tubular Ple 9 mtr long	500
104	LED light 1500 watts	350

Rate for Food/Beverage Items		
S.NO	NAME OF ITEM	Rates Notified (in Rs.)
1	Vegetarian Food (lunch)	Rs. 100/-
2	Veg Burger	Rs. 25/-
3	Sandwich	Rs. 30/-
4	Pakora (vegetable)	Rs. 15/-
5	Pakora (Cheese)	Rs. 25/-
6	Samosa	Rs. 15/-
7	Biscuits	As per MRP
8	Butter Toast	Rs. 25/-
9	Tea/Coffee	Rs. 20/-
10	Cold Drinks (200ml)	Rs. 15/-
11	Drinking Water (Crates Packing)	Rs. 95/-

Rates of Publicity Material		OFFSET PRINTING(LASER TYPE SETTING)
Name of the item		Rates Notified in (Rs.)
18X22/4	100 PEC	203
18X22/5	100 PEC	165
18X22/6	100 PEC	210
20X30	100 PEC	140
23X36	100 PEC	130
18X22/12	10	