



GUJARAT CO-OPERATIVE MILK MARKETING FEDERATION LIMITED

NEWS RELEASE FOR IMMEDIATE RELEASE

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Amul wins a trademark case in Canada - Indeed, Utterly Butterly Delicious!

AMUL – A mega co-operative owned by 3.6 million dairy farmers of Gujarat, India is known for its success story as a developmental tool in the hands of the farmer. Amul is globally 8th largest milk processor handling 10.3 MMT milk annually with a turnover of over Rs. 40000 crores (9 billion CAD\$). In fact, the trade mark AMUL is so popular, that today it has become synonym for dairy. AMUL’s claim to monarchy in the minds of consumers was further strengthened, when the Intellectual Property Appellate Board accorded it the status of a well-known trade mark in Canada recently.

Very recently, Amul has been successful in obtaining an order from the Federal Court, Canada for trademark violation. In this case, around January 2020, Amul learnt that group of fraudsters of Canada has blatantly copied the trade mark “AMUL” and the logo of “Amul – Taste of India”, and created a fake Amul profile on LinkedIn platform which amounts to trade mark and copyright infringement. Amul immediately moved in the Federal Court of Canada against Amul Canada, Mohit Rana, Akash Ghosh, Chandu Das, and Patel who created this deceptive profile on LinkedIn. Despite several attempts of service of the suit on the defendants, the defendants never responded. Consequently, Amul brought an *ex parte* Motion for Default Judgment. The Court held that Amul has clearly satisfied all the elements for establishing “passing off” test being: i) existence of goodwill, ii) deception of public due to misrepresentation, and iii) actual or potential damages to Amul. The Federal Court of Canada held that, the Defendants have infringed the copyright of the Amul. In view of non-compliance by the Defendants at all stages, the Federal Court held that the Motion for default judgment has been rightly initiated by the Amul.

Owing to the aforesaid order, the said Defendants are permanently restrained from infringing the trademark and copyright of the Plaintiffs, i.e. AMUL and Amul-The Taste of India and that the defendants shall transfer to the Plaintiffs within 30 days of the date of this Judgment, ownership and all rights, access, administration and control over LinkedIn pages/accounts, domain names and social media pages. The Defendants shall provide a listing and contact information for all entities who contacted the Defendants through the disputed LinkedIn page. Finally, Amul has been awarded damages of \$10,000 for actions contrary to the Trademarks Act, \$5,000 for actions contrary to the Copyright Act and awarded costs of \$17,733, payable by the Defendants.

Dr RS Sodhi, Amul’s Managing Director added that all this was possible only because we were alert and provided the supporting documents substantiating our claims. With this, we hope such orders would deter counterfeiters, infringers, globally, before appropriating someone else’s IPR which has been built with a lot of effort and eventually becomes an identifier for the company or even a nation. India and Indians, proudly associate themselves with AMUL, one of the most popular household brands.

It is important to note that GCMMF is exporting milk products to USA since last 22 years and also started exporting Amul Kool, Ice Cream and Dairy snacks to Canada since last two years.

We are glad that Canada recognised our very own, The Taste of India!

Counsel for Amul in India for the case is Ms. Suhrita Majumdar, IP Lawyer, S Majumdar & Co., New Delhi and Counsel for Amul in Canada Mr. Michael Adams, IP Lawyer, Riches McKenzie & Herbert LLP.