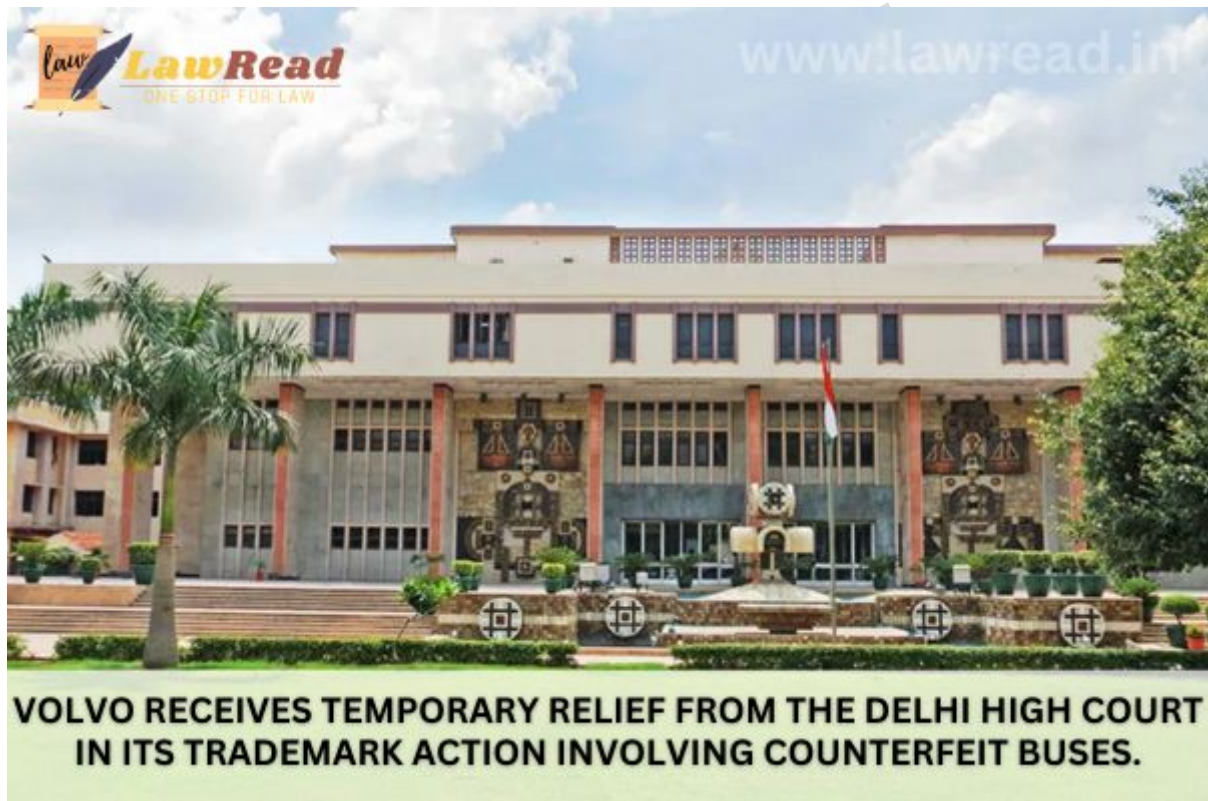


News

Volvo receives temporary relief from the Delhi High Court in its trademark action involving counterfeit buses.



According to the court, the defendants intentionally and dishonestly manufactured phony Volvo buses in order to benefit their business.

In **Aktiebolaget Volvo & Ors v. Shri Ganesh Motor Body Repairs & Ors**, the Delhi High Court has issued an interim injunction against Volvo, prohibiting Indian bus manufacturers and inter-city bus service firms from utilizing the Swedish company's brand and design.

Judge **Amit Bansal** noted that by willfully and dishonestly fabricating phony Volvo buses, the defendants had infringed upon Volvo's rights.

The plaintiffs' statutory and common law rights in the suit trademark are obviously being violated by the defendants' aforementioned actions. The Court declared that the defendants

had intentionally and dishonestly reproduced and produced fake, replica, lookalike, and counterfeit goods that bore the plaintiffs' well-known trademarks.

Volvo claimed to have adopted the trademark in 1915 and to have been using it consistently ever since on a global basis. The defendants include intercity bus service providers and bus manufacturers who have been misleading customers by exploiting the marks to establish an unauthorized relationship with Volvo.

The Court pointed out that the Indian bus manufacturers' sincere attempt to capitalize on Volvo's brand amounted to passing off and infringement.

In order to capitalize on the plaintiffs' enormous reputation and goodwill and generate enormous publicity, marketing, and commercial gains, the defendants' attempt to use the suit trademarks is nothing more than a dishonest attempt to violate the plaintiffs' rights and amounts to infringement and passing off of the suit trademarks."

It stated that on more than 100–125 times, the defendant bus manufacturer acknowledged producing and marketing buses with the infringing logos. As a result, the Court believed that such flagrant violations must be stopped.

"The practice of using the infringing grille slash trademarks on any bus will become rampant and the exclusivity associated with the plaintiffs' buses and marks will vanish over time if the defendants' actions remain unrestrained," the judgment said.

Accordingly, the Court declared that Volvo had shown a prima facie case for the issuance of an interim injunction in its favor.

The defendants were therefore prohibited by the court from using, producing, promoting, offering for sale, providing, deploying, exhibiting, advertising, or dealing with buses or any other goods or services that show the Volvo mark and its grille-slash mark.

The hearing is scheduled for October 9.