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Safeguarding Brand Identity: Delhi High Court Declares ‘RITZ’ A Well-Known Trademark

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The High Court of Delhi at New Delhi delivered a significant judgment in case of **The Ritz Hotel Limited v. M S Hotel Ritz**. Justice Amit Bansal provided valuable insights regarding Section 2(1)(zg) of the Trade Marks Act, 1999 and how "well-known" trademarks will be granted protection under Intellectual Property Rights.

Background

The Ritz Hotel Limited(Plaintiff), owns the famous "The Ritz Paris", which was established in Paris in the year 1898. Whilst the Ritz-Carlton Hotel Company, L.L.C., owns the trademarks "RITZ-CARLTON", "THE RITZ-CARLTON" and several other device marks in their name. These marks have become synonymous with the brand itself.
The Plaintiff issued an interim injunction application against the defendants for infringing and passing off their marks. The plaintiffs claimed that the defendants were infringing the words "RITZ" on their hotel services, misleading the customers and causing damage to the reputation of the plaintiff and his business.

Plaintiff's Contentions

The plaintiff claimed that its marks "RITZ" and "RITZ-CARLTON" are widely recognized and respected in India as well as globally. They highlighted their extensive history, awards and accolades and described how they have gained recognition in the market. In and around November 2023, the plaintiffs came across certain websites which predominantly displayed the infringing "RITZ" marks in relation to the
defendants hotel services. On a thorough inquiry, the plaintiffs discovered that the defendants were falsely advertising the infringing "RITZ" marks, which were receiving significant negative review on the internet. This was directly harming the reputation of the plaintiffs.

Defendant's Contentions

The defendant's submitted that they had ceased to use the impugned marks "RITZ", on websites and the email addresses associated with the infringing marks. Subsequently, the defendant suggested using revised marks such as "RITIZ" or "RITS", which was declined due to the marks being considered deceptively similar to the impugned marks.

Proceedings

After being served in January, the defendants initially agreed to cease to use the impugned marks but later in March, it was found that they were still using the impugned marks on their stationery, menu card and invoices. The long duration for which the RITZ and RITZ-CARLTON marks had been in use by the plaintiffs, wide geographical area of their use, their knowledge among the general public and their goodwill and reputation due to the extensive promotion, publicity and extensive revenue generated by the plaintiffs, in India as well as other countries, the RITZ and RITZ CARLTON marks have achieved the status of well-known trademarks.
The Court examined the evidence and declared that the plaintiff's mark had achieved the status of "well-known" marks under Section 2(1)(zg) and Section 11(7) of the Trade Marks Act, 1999 in respect of hotels and other related services in the hospitality industry. The court granted a permanent injunction restraining the defendants from using the infringing marks. The defendants were also directed to discontinue their websites.

Uncontested Nature of Proceedings

Notably, the case was resolved without substantial contest from the defendant, who did not object to the plaintiff's claims. This demonstrates that a trademark can be declared well-known by the court even in uncontested proceedings, provided that the statutory criteria are met.

Conclusion

This case is more than just a win for The Ritz Hotel Limited, it's a strong reminder of the power and importance of brand identity. By recognising "RITZ" as a well-known trademark, the Delhi High Court has sent a clear message, names that carry years of reputation, recognition, and trust cannot be misused or imitated, even if the imitation seems subtle.

What makes this decision especially interesting is that it came through uncontested proceedings. The defendants didn't fight the claim, yet the court still took the time to carefully examine the evidence and uphold the law. That shows how seriously the judiciary takes brand protection, even in the absence of a full-fledged legal battle.

For businesses, especially in sectors like hospitality, fashion, or luxury, this is a valuable lesson. A name isn't just a label, it's an asset built over time. Using someone else's brand, even unintentionally, can have serious legal consequences. And for brand owners, this judgment is a sign that Indian courts are willing to stand behind them, protecting the goodwill they've worked hard to earn. In a world where brand

reputation can be won or lost with a single click, this decision is both timely and reassuring.

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