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Trademark Protection in the Liquor Industry: Himachal Pradesh High Court Grants Interim Relief to Old Monk Manufacturer

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In a recent trademark infringement suit, the Himachal Pradesh High Court passed an important interim order restraining Eston Roman Brewery & Distillery Pvt. Ltd. from manufacturing and selling its “Old Mist” coffee rum. The Court found a prima facie case of infringement in favour of the iconic “Old Monk” coffee-flavoured rum, manufactured by Mohan Meakin Ltd.

Background

Mohan Meakin Ltd. (Plaintiff), a legacy name in India’s liquor industry and the maker of the globally recognised “Old Monk” rum, approached the Court seeking urgent relief. The plaintiff submitted that Eston Roman Brewery (Defendant), incorporated less than a year ago, was selling a product labelled “Old Mist,” which closely resembled their registered trademark, “Old Monk Coffee.”

The plaintiff’s trademark was registered in June 2022 and remains valid until November 2031. According to the pleadings, the infringing product surfaced in Goa around June 2025, prompting the suit.

Plaintiff’s Contentions

The Plaintiff has long-standing operations across India, including in Himachal Pradesh, and is recognised as a pioneer in the liquor industry. The Defendant’s company was incorporated on 31.7.2023 and is engaged in the business of manufacturing, supplying and distributing coffee flavoured rum under the mark of “Old Mist”.

The resemblance was so striking that it could easily mislead consumers into believing that the defendant’s product was associated with the plaintiff’s brand. More importantly, the Defendant did not have any registration for its product/mark.

The plaintiff further claimed that given their status as the third-largest rum manufacturer globally, the damage to their brand reputation and customer trust would be significant if the infringement were allowed to continue.

Court’s Observations

The Himachal Pradesh High Court, after a detailed comparison of the products, labels, and trademark certificates, held that Mohan Meakin Ltd. had established a prima facie case of trademark infringement. The Court observed that the defendant’s product, “Old Mist Coffee Rum,” bore significant visual and conceptual similarity to the plaintiff’s registered “Old Monk Coffee” rum, which was likely to mislead an ordinary consumer. It noted that while the plaintiff had a valid trademark registered until 2031, the defendant held no corresponding trademark rights.

The Court expressed concern that the continued sale of the impugned product was likely to result in passing off, unfair advantage, and irreparable harm to the plaintiff’s goodwill. Accordingly, it concluded that the balance of convenience lay with the plaintiff and restrained the defendant from selling or distributing the infringing product until further orders.

Conclusion

This case highlights the judiciary’s firm stance on protecting well-established trademarks, especially in industries where brand identity directly influences consumer choice. The Himachal Pradesh High Court’s decision sends a clear message that businesses attempting to exploit the reputation of iconic brands through deceptively similar products may face swift legal consequences. As the matter proceeds, it will be worth watching whether the interim relief transitions into a permanent injunction, further reinforcing the strength of registered trademark rights in India’s competitive liquor market.

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