

**COMPETITION COMMISSION OF PAKISTAN**

**ENQUIRY REPORT**

(Under the provisions of section 37(2) of the Competition Act, 2010)

**IN THE MATTER OF COMPLAINT FILED BY M/S  
MONSTER ENERGY CO. AGAINST M/S UNIVERSAL  
DISTRIBUTION CENTER AND OTHERS**

BY .

*K.B*                      *A.A*                      *SSZ*                      *AB*  
KASHIF BASHIR, AMIN AKBAR, SYEDA SALVA ZAIDI & ADNAN BASHIR

December 09, 2025

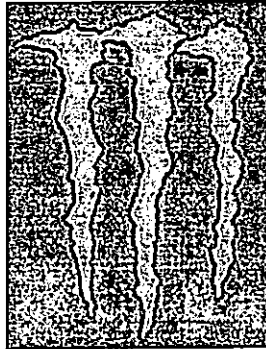
## 1. BACKGROUND:


- 1.1 M/s Monster Energy Company (the 'Complainant'), filed a complaint dated November 22, 2024 against M/s Universal Distribution Center (the 'Respondent No. 1'), Mr. Ali Muhammad, Partner (the 'Respondent No. 2'), and Mr. Sajid Younus, Partner (the 'Respondent No. 3') collectively referred to as (the 'Respondents') with the Competition Commission of Pakistan (the 'Commission') for alleged violation of section 10 of the Competition Act, 2010 (the 'Act'), pertaining to Deceptive Marketing Practices.
- 1.2 It was alleged in the complaint that the Respondents are using the registered trademark of the Complainant i.e. "Claw Icon Mark" for its products, without authorization from the Complainant. The Complainant believes that by doing so the Respondents have the ability to affect the consumer buying, and have distorted healthy competition in the market.
- 1.3 Based on the preliminary fact finding, an enquiry was initiated dated March 21, 2025, in accordance with sub section (2) of section 37 of the Act by appointing Mr. Muhammad Fahad, Joint Director (OFT), and Ms. Javeria Saleem, Assistant Director (OI&EA) as enquiry officers (collectively the Enquiry Committee). Later, the Enquiry Committee was reconstituted by appointing Mr. Amin Akbar, Assistant Director (OFT), Ms. Syeda Salva Zaidi, Assistant Director (OFT), and Mr. Adnan Bashir, Assistant Director (OFT) as the new enquiry officers in the instant matter. During the course of enquiry, the enquiry committee was again reconstituted with the inclusion of Mr. Kashif Bashir, Joint Director (OFT) along with the existing enquiry committee. This Enquiry Committee was directed to conduct the enquiry on the issues raised in the complaint, and to submit the enquiry report by giving its findings and recommendations, *inter alia*, on the following:
  - i. Whether the conduct of the Respondents pertains to the fraudulent use of another's trademark, firm name or product labelling or packaging in, *prima facie*, violation of section 10 (2)(d) of the Act?
  - ii. Whether the conduct of the Respondents is capable of harming the business interest of other undertakings in, *prima facie*, violation of section 10 (2)(a) of the Act?
  - iii. Whether the Respondents are disseminating false and misleading information to consumers, including the distribution of information lacking a reasonable basis, related to the price, character, method or place of production, properties, suitability for use, or quality of goods, *prima facie*, in violation of section 10(1) in general and in particular, section 10 (2)(b) of the Act.
  - iv. Any other violation by the Respondents under section 10 of the Act, or any other provision of the Act.
  - v. Whether there is a spillover effect of the conduct of the Respondents?


## 2. THE COMPLAINT:

- 2.1 The Complainant in its complaint made the following allegations and submissions.
- 2.2 The Complainant is an American company, officially named "Monster Beverage Corporation", that either itself and/or through its subsidiaries, affiliates, licensees carry on the business of designing, creating, developing, marketing, and selling energy drinks and has also carried on the same business in other beverages, such as natural sodas, fruit juices, smoothies, lemonades, and iced teas.

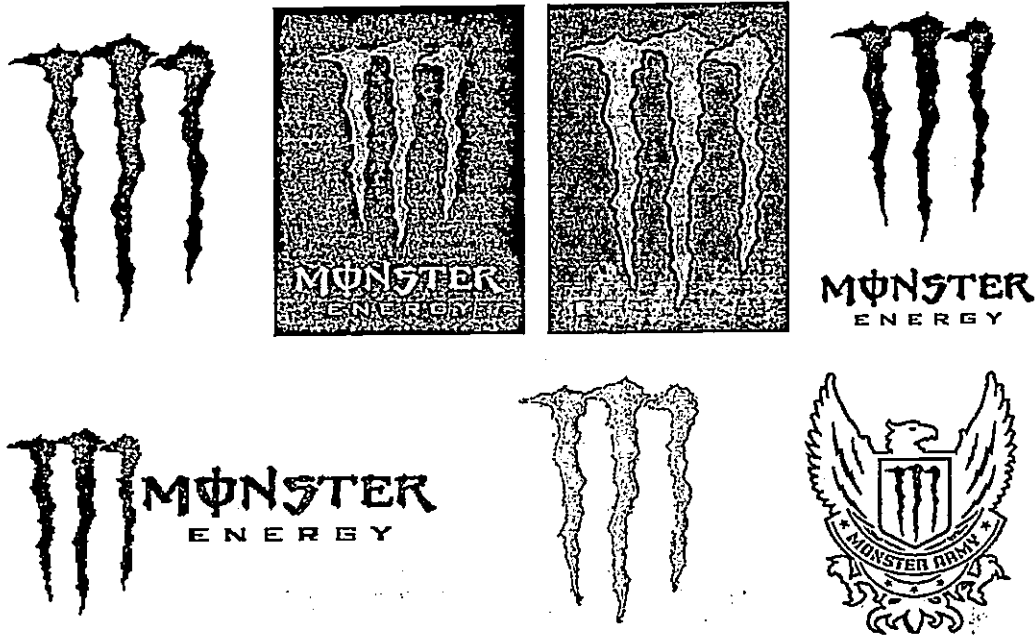
- 2.3 It has adopted several trademarks that are well known internationally, including MONSTER® and MONSTER ENERGY® in line of beverages to distinguish its goods from other companies. Among such trademarks, the Complainant has been using its "Claw Icon Mark" since March 2002 and is currently displayed on all the packaging of beverages. The trademark is used in distinctive black and green colour schemes as shown below:



- 2.4 The original version  of the "Claw Icon Mark" of the Complainant is registered under the U.S. Copyright Registration No. VA 1-789-900 by Monster Energy Company. Another mark

 which shows the "Claw Icon Mark" on the can, "MONSTER ENERGY Can Art (Green)", is also registered under Copyright Registration No. VA 1-727-577. The McLean Copyright Assignment document that showed the assignment of the Claw Icon design from McLean Design to Hansen Beverage Company, the former name of the Complainant, and the Certificate of Amendment of Certificate of Incorporation of Hansen Beverage Company, showing the name change from Hansen Beverage Company to the Complainant in the instant matter. The "Claw Icon Mark" constitutes an original artistic work and is protected under the Copyright Ordinance, 1962, as well as in all Berne Convention and Universal Copyright Convention member countries by virtue of its first publication in 2002. Relying on section 54 of the Copyright Ordinance, 1962, read with the International Copyright Order, 1968, and other relevant provisions, the Complainant maintained that any unauthorized reproduction, publication, copying, or counterfeiting of the said work would amount to infringement of its copyright.

- 2.5 The products of the Complainant are sold in around 130 countries/ territories including Pakistan and are extensively promoted through media having extensive worldwide circulation, by reason of which the "Claw Icon Mark" enjoys tremendous reputation and goodwill in such countries including Pakistan. The worldwide sales turnover of Complainant's product sold depicting the "Claw Icon Mark" for the past few years (2016 to 2022) is from \$3.49 billion to \$7.20 billion.
- 2.6 The registration of the "Claw Icon Mark" includes the following marks that share similar characteristics and are advertised alongside each other. The Complainant submitted the registration of its trademarks in 43 jurisdictions across the world. The detail of the registration, as submitted, is attached as Annex A.



- 2.7 The Complainant submitted that it uses and licenses its trademark MONSTER and “Claw Icon Mark” on a wide range of other products, including apparels, belts, bandanas, sweatbands, gloves, headgear, sunglasses, beverage ware, cups, water bottles, koozies, various types of bags, towels, blankets, umbrellas, beach/lawn chairs, tents, vanity cases, guitars, drum heads, clocks, watches, boom boxes, bottle openers, protective gear, keychains, surfboards, skate boards, surf boards, wake boards, BBQ tool sets, automotive rims, tool kits, vehicles, vehicle decals, helmet, neon signs, coasters, buckets, golf accessories, fitness goods and equipment, punching bags, boxing gloves, food & beverage service goods, video games and gaming equipment, sound equipment, projectors, cable and drives, stickers, helmets, bikes, jewellery, banners, coolers, electric coolers, electronic, power banks, posters, pens, bracelets, lanyards, diecast cars, remote control replica cars, yoga mats, downloadable multimedia files, and other accessories.
- 2.8 The Complainant has been conducting its business in Pakistan since 2011 by using the “Claw Icon Mark” in respect of energy drinks. The Licensed Merchandise of the “Claw Icon Mark” by the Complainant is also available for sale and has been sold to Pakistani buyers through online marketplace. The Complainant has registered its trademarks in Pakistan under various categories of goods including beverages. The Complainant has also filed its trademarks for class 3 goods in Pakistan. The detail of its registration and application can be accessed in Annex A.
- 2.9 The products of the Complainant bearing the “Claw Icon Mark” are available and accessible to consumers in Pakistan through various e-commerce platforms. Over the past few years, the total sales in Pakistan amounted to about US \$1.3 million. The Complainant maintains an official website that is publicly accessible in Pakistan and displays the “Claw Icon Mark”. The brand also enjoys a wide digital presence on platforms such as Facebook, Instagram, YouTube, TikTok, and X (formerly Twitter), where its trademark is regularly featured and visible to Pakistani users. To support its global and local reach, the Complainant shared social media performance data from January to October 2022 depicting 185 million engagements.

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2.10 On the basis of continuous marketing, longstanding commercial presence, and customer recognition, its energy drinks and related merchandise have built substantial goodwill and reputation in Pakistan. It was submitted that the "Claw Icon Mark" qualifies as a *well-known mark* under section 86 of the Trademarks Ordinance, 2001, and as an earlier mark under section 18(1)(c), including by reference to the Paris Convention.

2.11 The Complainant has alleged that the Respondents have adopted a mark identical or substantially similar to the Complainant's "Claw Icon Mark", featuring a similar black and green colour scheme, design, and get-up, under Trademark Application No. 711438 filed in class 03. The Complainant became aware of this through Trademark Journal No. 877

published on February 1, 2024. The contested mark  is stated to be a flipped image of the Complainant's trademark. The Complainant has alleged that by adopting this identical mark, the Respondents are engaged in deceptive marketing practices, specifically through the fraudulent use of another party's trademark, firm name, product labelling, or packaging. These actions, according to the Complainant, fall within the scope of section 10(2)(d) of the Competition Act, 2010, and are prohibited under section 10(1) of the Act. The Complainant also contends that this conduct falls within the scope of sections 10(2)(a) and 10(2)(b), as the use of the allegedly imitated mark could mislead consumers into believing that the products originate from, or are associated with, the Complainant, create confusion regarding source or affiliation, and potentially harm the Complainant's business interests. It further submitted that the Respondents' actions amount to parasitic copying and passing off, by manufacturing, packaging, and selling products in a manner that imitates the Complainant's identity and reputation.

2.12 It has further been submitted that the Complainant has filed a formal opposition to the Respondents' trademark application to prevent its registration. The Complainant also asserts that the Respondents have no valid justification for adopting an identical mark, especially when numerous alternative branding options were and remain available. The use of such a closely resembling mark is alleged to be a clear case of fraud and misrepresentation within the meaning of the Act.

2.13 In view of the above, the Complainant respectfully prayed:

- a) That this Honourable Commission may conduct an enquiry under Regulations 16 and 17 of the Competition (General Enforcement) Regulations, 2007 against the Respondents for committing aforesaid acts constituting Deceptive Marketing Practices.
- b) Initiation of proceedings under section 30 of the Competition Act, 2010 against Respondents.
- c) An Order under section 31(1)(c)(i) to require the Respondents to restore the previous market condition and not to repeat the prohibitions specified in section 10 of the Act.
- d) An Order under section 31(ii) of the Act for confiscation, forfeiture or destruction of the goods for which the Respondents are or have been fraudulently using the imitated trademark "Claw Icon Mark" in violation of the rights of the Complainant.

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**3. CORRESPONDENCE WITH THE RESPONDENTS:**

- 3.1 A letter for initiation of enquiry and provision of information was sent to the Respondents dated April 08, 2025. The Respondents submitted their reply dated April 22, 2025, which is summarized below:
- 3.2 The Respondents in their response have denied the allegations levelled against them, and raised preliminary legal as well as factual objections. The Respondents stated that the reputation of the Complainant, if any exists, is confined to the specific market corresponding to the class of goods. The goods offered by Respondents fall clearly outside the scope of the Complainant's business. They further submitted that the Complainant operates in the energy drink sector, registered under class 32, while the Respondents are engaged in the business of importing, manufacturing, and distributing cosmetics, perfumes, body sprays, air fresheners, and related products under class 03. Due to the distinct nature of their respective business domains and the lack of any competitive overlap, there exists no possibility of confusion or infringement under the provisions of the Act, particularly section 10.
- 3.3 The Respondents submitted that the Complainant lacks a *prima facie* case, and the complaint is filed with *mala fide* intent, aimed at harassing and maligning the reputation of the Respondents, who claim to enjoy a strong and credible market presence. They further alleged that the Complainant has suppressed material facts and attempted to mislead the Commission.
- 3.4 The Respondents presented their business structure and emphasized their long-standing presence in the market and their commitment to maintain high-quality standards in their product offerings. To ensure market distinction, they claimed to have created and adopted their own original trademarks, including the one in dispute, which has become widely recognized and associated exclusively with their products due to consistent use and marketing efforts. In order to distinguish its goods from other companies, the Respondents has adopted and uses

several trademarks. Amongst such trademarks, one is the trade mark is  which was first adopted/ invented by the Respondents.

- 3.5 The Respondents submitted that the trademark/copyright  is legally owned and registered in the name of Dream Enterprises, a sister concern of the Respondents, and they operate under this legally recognized and protected intellectual property. The Respondents stressed that the use of the trademark has always been in good faith and that no element of copying, infringement, or deceptive similarity with the Complainant's mark exists.
- 3.6 The Respondents contended that they have, over time, transformed from modest beginnings into a well-established business through the continuous, extensive, and exclusive use of their following trademark:



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- 3.7 The Respondents submitted that owing to the consistent quality of their goods and strategic promotional efforts, the Respondents' trademark has become widely recognized and associated with reliability and high standards. As a result, the trademark enjoys considerable goodwill and reputation in the market, and the goods bearing it are in high demand among consumers. Moreover, the aforementioned trademark is exclusively linked to Respondents in the course of trade, and the public identifies it as a symbol of quality goods originating solely from them or their affiliates. All products under this mark are subject to strict quality control, hence reinforcing consumer trust and brand loyalty. Consequently, the trademark has become synonymous with premium quality, and its widespread recognition across Pakistan reflects the substantial goodwill and strong brand equity accumulated over the years.
- 3.8 The Respondents acknowledged that the Complainant previously filed a civil suit for trademark infringement before the Intellectual Property Tribunal in Lahore (Suit No. 216/2024), and an *ex parte ad-interim* injunction was granted. The Respondents affirmed that they fully complied with the order and immediately ceased using the disputed trademark and discontinued the associated products, pending final adjudication of the matter.
- 3.9 The Respondents specifically denied that the alleged original artistic work is protected under the Copyright Ordinance, 1962 of Pakistan or that it automatically enjoys protection under the Berne Convention or the Universal Copyright Convention as of its first publication. The Respondents contended that the provisions of sections 2, 4, 9, and 10 of the Copyright Ordinance, 1962, read with the International Copyright Order, 1958, do not grant automatic or universal protection and that such rights are conditional, subject to the specific terms of international treaties which vary across jurisdictions.
- 3.10 The Respondents submitted that even if any copyright protection is assumed under international conventions, such protection is limited in scope and applies only to the particular class of goods or business activity for which the copyright was originally registered. They submitted that mere copyright registration does not confer blanket rights over all business activities of the Complainant, and any such protection must be confined strictly to the subject matter and scope of the original registration.
- 3.11 The Respondents submitted that their trademark features entirely different visual and textual elements, particularly the prominent use of the word "ENERGETIC," and does not include the word "MONSTER" or replicate the claw icon that is central to the Complainant's branding. They provide a comparative analysis of the trademarks to establish the dissimilarity and claim that no consumer confusion could plausibly arise. The Respondents further submitted that the marks of the Complainant and the Respondents are vastly dissimilar to each other. A comparison of both the marks of the Complainant and the Respondents is provided below:

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COMPLAINANT'S MARK	RESPONDENTS' MARK
	

3.12 The Respondents, in their defence against the allegations of trademark infringement,

emphasized that their mark prominently features the word "LUCKY,"  of their sister concern (Dream Enterprises) which is central to its identity and clearly distinguishes it from the Complainant's "MONSTER" mark. They argue that the Complainant's claims of imitation, particularly regarding the "claw icon" and overall branding are entirely without merit, as the two marks are visually, textually, and conceptually dissimilar. The Respondents stated that their trademark comprises the word "LUCKY" combined with the stylized term "ENERGETIC," vertically placed between two lines, creating a distinct commercial impression. They contend that the Complainant's mark consists solely of three jagged lines without any accompanying text and bears no resemblance to the Respondents' mark, which uses clear textual elements, with "LUCKY" being the dominant and distinguishing feature.

3.13 The Respondents reiterated that all allegations regarding copyright infringement, passing off, unfair competition, or deceptive marketing under section 10 of Act and section 67 of the Trademarks Ordinance, 2001, are entirely unfounded. The Respondents submitted that the products and marks are unrelated and that the consumer base for each is entirely distinct, which negates any claim of deception or misrepresentation.

3.14 The Respondents specifically denied that the use of their trademark constitutes deceptive marketing practices within the meaning of section 10(2)(a) and (b) of the Competition Act, 2010. They contended that the use of the said mark is neither unauthorized nor unlawful. Furthermore, they submitted that the Respondents' use of their trademark does not, in any manner, amount to deceptive marketing practices.

3.15 The Respondents recapped that trademark does not cause confusion or deception among consumers and does not constitute infringement, copyright, common law rights, piracy, passing off, or any form of association with the Complainant.

3.16 In support of their position, the Respondents cited various legal precedents from superior courts of Pakistan, affirming the principle that trademark use in unrelated classes of goods or services does not amount to infringement. They rely on judgments such as 2014 CLD 1601, 2011 CLD 193, 2016 CLD 1864, and PLD 1969 Karachi 376 to bolster their argument that there is no legal ground for the Complainant's claims.

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3.17 The Respondents submitted that the complaint is devoid of merit, filed with ulterior motives, and based on false and misleading allegations. They further submitted that the Complainant has not established any cause of action and has failed to disclose crucial facts regarding the Respondents' legitimate registration and use of their trademark. The Respondents urged the Commission to dismiss the complaint in its entirety with special costs, as the Complainant is not entitled to any relief.

**4. REJOINDER:**

- 4.1 The reply of the Respondents was forwarded to the Complainant for its comments/rejoinder vide letter dated June 10, 2025. The Complainant via letter dated June 12, 2025 requested for extension in time, which was duly granted via letter dated June 17, 2025. The Complainant again requested for extension in time via email dated July 03, 2025, which was granted via letter dated July 04, 2025, respectively. The Complainant submitted its rejoinder vide letter dated July 15, 2025, the contents of which are reproduced in the following paras.
- 4.2 The Complainant submitted that the reply of the Respondents is vexatious and misconceived. It further stated that the Respondents have denied the contents of the Complaint without providing any plausible justification or argument in support of their alleged adoption of the "Claw Icon Mark". The Complainant maintained that the grounds relied upon in the Reply arise from misreading and misinterpretation of the applicable law, and hence the defence is unreliable.
- 4.3 The Complainant further stated that the reply is not maintainable under the law, as it is based on falsehoods, misrepresentations, and conjectures. It was also pointed out that the reply has not been filed in the prescribed manner, as it includes legal arguments and case law references, which, according to the Complainant, cannot be part of the pleadings. The Complainant alleged that the Respondents are attempting to mislead the Commission through false information through wrongful interpretation of relevant laws.
- 4.4 The Complainant has categorically denied the preliminary legal objections raised by the Respondents. For the sake of brevity, the Complainant has reiterated its position regarding the prior adoption, continued use, and global reputation of its "Claw Icon Mark", which it asserted predates the Respondents' allegedly dishonest adoption of a similar mark. The Complainant denied the assertion that the parties operate in distinct industries with no likelihood of confusion or infringement. It also contested the claim that the Complaint lacks merit or is liable to be dismissed on such grounds.
- 4.5 The Complainant further denied that its trademark rights are confined to class 32, asserting that the brand's reputation and protection extend beyond this classification. The Complainant submits that in addition to selling beverages depicting the "Claw Icon Mark", it uses and licenses its trademark MONSTER and "Claw Icon Mark" on a wide range of other products.
- 4.6 The Complainant contested the allegation that it lacks a *prima facie* case or that the complaint is liable to be dismissed. Allegations of suppression or concealment of facts, misleading the Commission, or approaching the Commission with *mala fide* intent to harass or blackmail the Respondents are also denied and put to strict proof. With respect to the *ad-interim* injunctive order, the Complainant denies that it was granted *ex-parte* or without affording the Respondents an opportunity to be heard. It submits that the order was issued by the Intellectual

Property Tribunal (IPT) after a review of the facts, finding a *prima facie* case in favour of the Complainant and a likelihood of irreparable harm.

- 4.7 The Complainant further denied that the matter falls outside the ambit of section 10 of the Act. The Complainant asserts that the Respondents' mark is deceptively similar to its own and that the parties' business activities are not so unrelated as to preclude the application of section 10.
- 4.8 The Complainant in its para-wise reply to the facts of the case submitted by the Respondents, the Complainant reiterated its claims regarding prior adoption, use, and global reputation of the "Claw Icon Mark" predating the Respondents' imitation. The Complainant strongly denied their alleged ownership of the "LUCKY" mark or any legal connection with Dream Enterprises, which is a separate entity and the Respondents failed to establish connection with them.
- 4.9 The Complainant further submitted that the "LUCKY" mark is not the matter of dispute, but rather the Respondents' dishonest use and imitation of the Complainant's "Claw Icon Mark". Additionally, the Respondents' attempt to distinguish business activities is irrelevant, as the Act does not consider the nature of the parties' businesses but penalises deceptive marketing practices, including the fraudulent use of another's trademark. The Complainant further denies that the Respondents have made any effort to promote the imitated mark or develop independent goodwill and puts the Respondents to strict proof of such claims.
- 4.10 The Complainant admitted it has filed a suit for trademark infringement against the Respondents, registered as Suit No. 216/2024, before the IPT Lahore. However, with respect to the Respondents' claims of compliance with the restraining order by immediately ceasing use of the imitated "Claw Icon Mark" and continuing to remain compliant, the Complainant submitted that the infringing goods under the imitated "Claw Icon Mark" continue to be available in trade and through online platforms as well and are being offered for sale and being sold to the general public in violation of the court orders.
- 4.11 The Complainant responded to the Respondents' denial of the protection of the original artistic work of the "Claw Icon Mark" by mentioning that the Respondents failed to prove their stance and their understanding of the copyright protection is contrary to law. The Complainant further reiterated its stance regarding the copyright's infringement by the Respondents. The Complainant further rejected the argument made by the Respondents regarding the differences in packaging and distinction among the marks. The Complainant stated that the "Claw Icon Mark" is a major part of its trade dress and packaging and hence imitating it amounts to fraudulent and dishonest practices.
- 4.12 With respect to the cited judgments, the Complainant submitted that the Respondents' reliance on the same is utterly misplaced as the subject matter of these cases, the issues arising and decided therein as well as the principles laid down do not relate to the same/similar matter as in the present dispute. It is further stated that some of the citations were decided in accordance with the old law i.e. Trademarks Act 1940, and therefore the Complainant's stance with respect to infringement and dishonest adoption of its genuine "Claw Icon Mark" remains uncontested and unaffected by the reliance of the Respondents on these citations.
- 4.13 In view of the above submissions, the Complainant reiterated its prayers as mentioned in para 2.13 above.

## **5. ANALYSIS:**

- 5.1 As mentioned in para 1.3 above, the mandate of this enquiry is to find out whether, *prima facie*:
- i. *Whether the conduct of the Respondents pertains to the fraudulent use of another's trademark, firm name or product labelling or packaging in, prima facie, violation of section 10 (2)(d) of the Act?*
  - ii. *Whether the conduct of the Respondents is capable of harming the business interest of other undertakings in, prima facie, violation of section 10 (2)(a) of the Act?*
  - iii. *Whether the Respondents are disseminating false and misleading information to consumers, including the distribution of information lacking a reasonable basis, related to the price, character, method or place of production, properties, suitability for use, or quality of goods, prima facie, in violation of section 10(1) in general and in particular, section 10 (2)(b) of the Act.*
  - iv. *Any other violation by the Respondents under section 10 of the Act, or any other provision of the Act.*
  - v. *Whether there is a spillover effect of the conduct of the Respondents?*
- 5.2 Before proceeding further, it is pertinent to note that Respondent No. 1 i.e. M/s. Universal Distribution, qualifies as an "undertaking" under the meaning of Section 2(q) of the Act. In contrast, Respondents No. 2 and 3, being partners of Respondent No. 1, are natural persons. Consequently, for the purposes of this enquiry, the Enquiry Committee will focus its proceedings solely on Respondent No. 1 i.e. M/s. Universal Distribution (hereinafter referred to as "Respondent").
- 5.3 Before proceeding further, it is important to understand the business nature and structure of the undertakings in question. The Complainant is a subsidiary of *Monster Beverage Corporation* (formerly *Hansen Beverage Company*), an American company engaged either directly or through its affiliates in the business of designing, developing, marketing, and selling energy drinks globally. The Complainant has also previously marketed various non-energy beverages under different trademarks in multiple jurisdictions and is recognized as a pioneer in the use of the "Claw Icon Mark", consisting of an M-shaped claw design created specifically for and on behalf of the Complainant. This mark was first used in 2002 in the United States of America, a signatory to the Berne Convention.
- 5.4 While the Respondent, is operating as *Universal Distribution Center Pakistan*, a sister concern of *Dream Enterprises*, which is a registered proprietor and the applicant of the trademark in question. The Respondent submitted that it is importers, manufacturers, and merchants of cosmetics, air fresheners, perfumes, body sprays, and related goods in Pakistan. The Respondent further submitted that it has significantly expanded their operations over time having started on a modest scale, they have now become a leading entity in their field in Pakistan, owing to consistent and exclusive use of their mark and a strong focus on quality.

### Details of Trademark Registration with Domestic and International Intellectual Property Authorities

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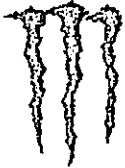

- 5.5 The Complainant in its submissions stated that it is the registered proprietor, originator, and *bona fide* user of the trademark and trade name "Claw Icon Mark" which is used across a diverse range of products and services. Through decades of extensive use for both goods and services, the "Claw Icon Mark" has acquired substantial goodwill and reputation in the marketplace.
- 5.6 The Complainant submitted that they hold U.S. Copyright Registration No. VA 1-789-900 for the "Stylized Claw with Jagged Edges (Original Version)," and U.S. Copyright Registration No. VA 1-727-577 for "MONSTER ENERGY Can Art (Green)," which features the "Claw Icon" on the can. Both registrations reflect the name change from Hansen Beverage Company to Monster Energy Company. The "Claw Icon Mark", being an original artistic work, is protected under the Copyright Ordinance, 1962 in Pakistan, and in all Berne Convention and Universal Copyright Convention member countries from the year of its first publication. The Complainant further stated that this protection is granted by virtue of section 54 of the Copyright Ordinance, 1962, read with the International Copyright Order, 1968, specifically paragraphs 3(a), 3(b), and 3(d), along with sections 2, 4, 9, and 10 of the Copyright Ordinance, 1962.
- 5.7 The Complainant further submitted that to protect its rights and interests in the "Claw Icon Mark" in Pakistan, it has secured multiple trademark registrations. The details of the registered trademark of the Complainant are tabulated below:

Trademark No.	Class	Date	Goods Description
222717	32	27-05-2006	Beverages
384302	32	20-03-2015	Non-alcoholic beverages, etc.
469337	32	21-09-2017	Non-alcoholic beverages, including carbonated drinks and energy drinks; syrups, concentrates, powders and preparations for making beverages, including carbonated drinks and energy drinks.
679089	30	12-10-2022	Coffee, tea, cocoa and artificial coffee; coffee-based beverages; tea-based beverages; chocolate-based beverages; rice; tapioca and sago; flour and preparations made from cereals; bread, pastry and confectionery; edible ices; sugar, honey, treacle; yeast, baking powder; salt; mustard; vinegar, sauces (condiments); spices; ice.
679090	32	12-10-2022	Non-alcoholic beverages; non-alcoholic beverages, including carbonated and noncarbonated drinks, soft drinks, and energy drinks; syrups, concentrates, powders and preparations for making beverages; etc.

Additionally, the Complainant has filed trademark applications in class 03 of Nice Classification in Pakistan on July 23, 2024, for the following goods:

S No.	Trademark	Date	Goods Description
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01		23-07-2024	Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; deodorants, body sprays, soaps; perfumery, essential oils, cosmetics, fragrances, hair lotions; dentifrices; being goods included in class 03.
02		23-07-2024	Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; deodorants, body sprays, soaps; perfumery, essential oils, cosmetics, fragrances, hair lotions; dentifrices; being goods included in class 03.

5.8 On the other hand, the Respondent has adopted the trade name "LUCKY" and are engaged in the business of importing, manufacturing, and distributing cosmetics, perfumes, body sprays, air fresheners, and related products under class 03. They denied that the alleged artistic work of the Complainant is protected under the Copyright Ordinance, 1962 of Pakistan or enjoys automatic protection in all Berne or Universal Copyright Convention member countries. As per section 54 of the Ordinance and the International Copyright Order, 1958, such protection is conditional and subject to treaty-specific terms, which vary by jurisdiction.

5.9 The Respondent further submitted that any protection under the Berne Convention, if applicable, is limited to the specific class of goods or business activities for which the work was created. Copyright registration does not confer a blanket right across all commercial fields and must be confined to the scope of the original registration.

**Company Registration with the Securities & Exchange Commission of Pakistan (SECP)**

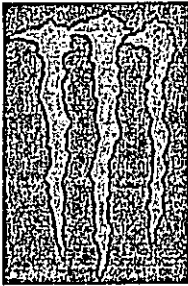

5.10 The Complainant is an American company having its subsidiary duly incorporated with the Securities and Exchange Commission of Pakistan (SECP) on February 20, 2017, under the name MONSTER ENERGY PAKISTAN (PRIVATE) LIMITED, bearing registration number 0105986, and registered with CRO Lahore.

5.11 While the online database of the Securities and Exchange Commission of Pakistan (SECP) does not show the Respondent as a company directly registered with the SECP, the Respondent, in its reply, claimed to be a sister concern of an entity named *Dream Enterprises*. As per the SECP online records, DREAM ENTERPRISES SMC-(PRIVATE) LIMITED is a Private Limited Company duly incorporated with the SECP, bearing registration number 0146580, and registered with CRO Karachi. The company has submitted statutory Form A and Form B filings up to January 30, 2020.

**Logo Design and Trade Name:**

5.12 The logo design and the trade name used by both the Complainant and the Respondent is provided below:

A.A K.B  
SSZ AB

<u>COMPLAINANT'S MARK</u>	<u>RESPONDENT'S MARK</u>
	

- which one

5.13 As stated in Para 5.6 *ibid*, the Respondent had adopted a trademark that is identical, though inverted, to the Complainant's trademark in terms of colour, graphic elements, design, and stylization. The Respondent acknowledged that the Complainant instituted Suit No. 216/2024 before the Hon'ble Intellectual Property Tribunal at Lahore. However, pursuant to an *ad-interim ex parte* order passed therein, the Hon'ble Tribunal restrained the Respondent from using the impugned trademark. The Respondent submitted that in compliance with the said order, it immediately ceased all use of the disputed mark. It further stated that it continue to abide by the said restraint, pending final adjudication of the aforementioned suit.

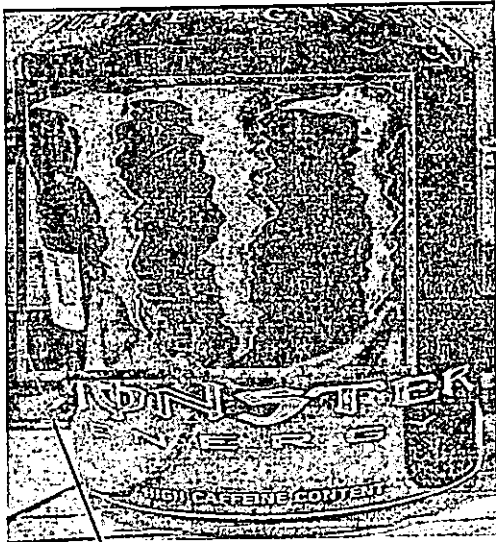
**I. Whether the conduct of the Respondent pertains to the fraudulent use of another's trademark, firm name or product labelling or packaging, prima facie, in violation of section 10(2)(d) of the Act.**

5.14 The matter of the Complaint concerns the deceptive marketing practices by unauthorized use of trademark by the Respondent. The Complainant is an international company with high global sales. The trademark of the Complainant has been in use since 2002.

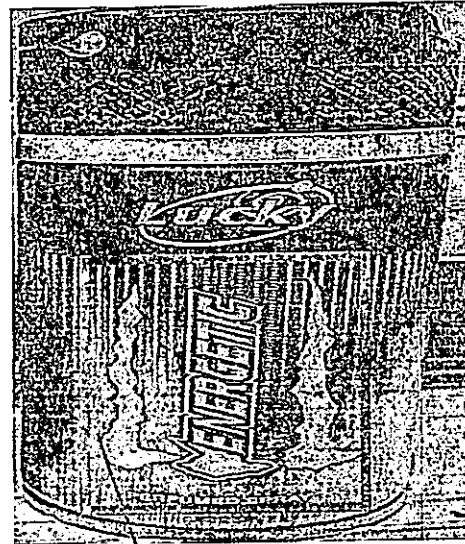
5.15 The Complainant mentioned that the "Claw Icon Mark" is a copyrighted artwork and cannot be commercially used without its permission. The Complainant first registered its trademark in 2002 and thus, argued prior use and prior registration of the trademark in dispute. It relied on its global reputation and goodwill that is evident from the global annual sales and marketing campaign, to claim its trademark as a well-known trademark.

5.16 The Respondent, however, denied the similarity between the two trademarks by arguing that the word "energetic" makes its trademark different from the trademark of the Complainant. It further argued that the Respondent business includes a different class of products than those of the Complainant. The trademark of the Respondent is used in a separate class of business i.e., fragrances, deodorants, etc. While the Complainant carries on a business in the category of energy drinks.

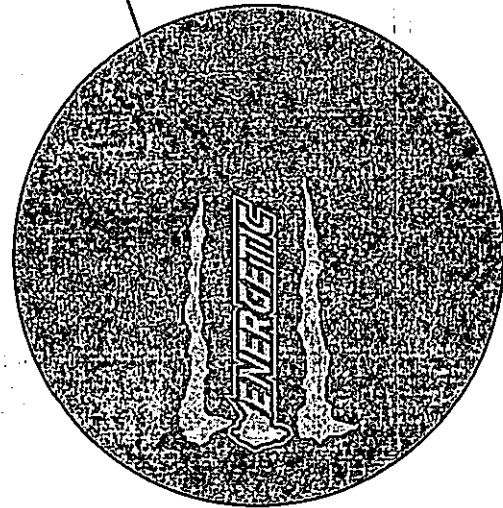
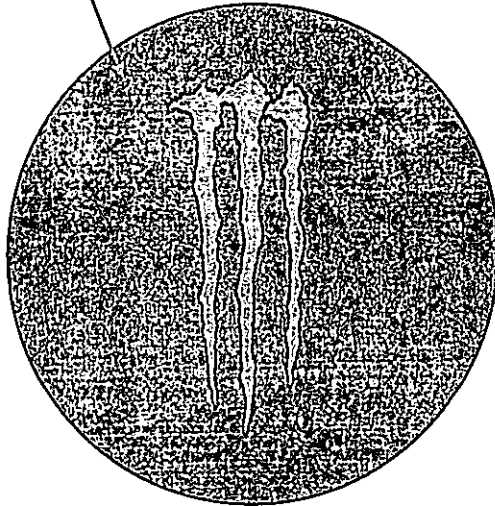
A.A K.B  
SSZ AB





Complainant



Respondent



5.17 From the material and evidence presented by the Complainant along with its complaint, it is evident that it is the registered owner and the prior user of the trademark in dispute. The evidence and submissions suggest that the Complainant's trademark has gained reputation globally including Pakistan.

5.18 If a comparison is made solely between the brand name of the Complainant and the Respondent, it is evident that the Respondent's brand name  "Lucky" is distinct and not similar to the brand name  "Monster Energy" of the Complainant.

5.19 While analysing the artistic work and label design of both the trademarks as shown in para 5.15 above, the Complainant's trademark features a "Claw Icon Mark" facing down in neon green colour on the black background colour. The Green colour has a gradient effect in it. On the other hand, the Respondent's trademark in dispute features a claw shaped mark facing upwards in sharp light green colour, without gradient, with ash black background. The trademark has a word "energetic" written in the middle claw.

A.A RB  
SSZ AB

- 5.20 Upon deeper inspection of the trademarks, it can be observed that the edges of the claw are exactly the same. If one thinks that the trademark of the Respondent is its own creation that happened to be somewhat similar to the trademark of the Complainant, the idea is not plausible because two different minds cannot create a similar design so much so that all the edges are exactly drawn in the same manner.
- 5.21 Based on the comparison, the Respondent's claw only differs from the Complainant's claw in two elements, orientation, which is upward, and wording, inclusion of energetic in the middle claw of the mark.
- 5.22 Based on the analysis and depiction above, it is determined that the colour scheme of the trademark is similar, i.e., the "Claw Icon Mark" is bright green placed on the black background. The Respondent's mark appears to be an inverted image of the Complainant's mark. Before examining the significance of the word "Energetic" appearing on the Respondent's product, it is pertinent to draw a clear distinction between the terms "Energy" and "Energetic." The word "Energy" denotes a substance, source, or commercial product category, particularly associated with energy drinks and beverages, and thus bears a direct nexus with the nature, purpose, and intended use of such products. In commercial parlance, especially within the energy drinks industry, the term "Energy" has an immediate and unmistakable association with the product category itself.
- 5.23 Conversely, the word "Energetic" is descriptive in nature and merely conveys a state, attribute, or effect of liveliness or activity. It does not directly identify a product nor does it define or signify a distinct business category. Rather, it functions as a qualifier or embellishment, lacking independent source-identifying character. In the present case, the Respondents have incorporated the word "Energetic" within the central claw of their mark, whereas the Complainant's trademark prominently features the words "Monster Energy" as an integral part of its brand identity. Given that the Complainant's core products are energy drinks, the term "Energy" directly corresponds to its product category and commercial activity. In contrast, the term "Energetic" bears no apparent or logical connection to the Respondents' stated business of fragrances and deodorants. Moreover, "Energetic" is a linguistic derivative of the word "Energy," which further enhances the likelihood of association and contributes to overall similarity between the competing marks.
- 5.24 Foregoing in view, it may be ascertained that both the products of the Complainant and the Respondent has similarity in their trademarks and are distributing the products through the same channels i.e., distribution stores and online platforms. The packaging colours and design elements, though slightly different, may not be enough to dissociate the Respondent's product from the Complainant, especially when the Complainant holds worldwide recognition of its trademark. Furthermore, the Complainant's trademark has global reputation that is used in various products of different classes through licensing and merchandising. Such unauthorized use of a well reputed trademark indicates *mela fide* intention to cause deception through false and misleading association of a product to a well-recognized brand.
- 5.25 Therefore, the conduct of the Respondent *prima facie* amounts to violation of section 10(1) read with section 10(2)(d) of the Act.

**II. Whether prima facie the Respondent is involved in the distribution of false or misleading information to consumers including the distribution of information lacking a reasonable basis, related to the character, place of production, properties, and quality of goods in, prima facie, in violation of section 10 (2) (b) of the Act.**

- 5.26 The allegation pertains to the unauthorized use of the Complainant's registered trademark/trade name by the Respondent, specifically the "Claw Icon Mark", in a manner that allegedly misleads consumers regarding the source, quality, and nature of the goods being sold.
- 5.27 The Complainant is an American company engaged in the business of designing, developing, marketing, and selling energy drinks globally. The company is widely recognised for its use of the "Claw Icon Mark", which comprises an M-shaped claw design developed specifically for and on behalf of the Complainant.
- 5.28 In support of its claim, the Complainant has submitted U.S. Copyright Registration No. VA 1-789-900 for the "Stylized Claw with Jagged Edges"; and U.S. Copyright Registration No. VA 1-727-577 for "MONSTER ENERGY," containing the "Claw Icon Mark".
- 5.29 The Complainant submitted that the "Claw Icon Mark" constitutes an original artistic work protected under the Copyright Ordinance, 1962 of Pakistan, and enjoys extended protection under international law by virtue of section 54 of the said Ordinance read with the International Copyright Order, 1968, including paragraphs 3(a), 3(b), and 3(d), and sections 2, 4, 9, and 10.
- 5.30 The Respondent, in reply, denied that the work is protected under Pakistan's copyright regime or enjoys automatic protection in Berne Convention member countries. They argued that international protection is contingent on the specific terms of relevant treaties, which do not, in their view, guarantee universal or automatic coverage. However, the Respondent failed to provide any cogent legal or factual basis to substantiate how the Complainant's artistic work falls outside the ambit of copyright protection under Pakistani law or under international copyright obligations to which Pakistan is a party.
- 5.31 Regarding the scope of protection, the Respondent argued that even if the Complainant enjoys any protection, it should be limited to the class of goods for which it is registered. However, the registration of a trademark or for that matter, the registration of a firm name, product labelling, or packaging is not a prerequisite for the applicability of section 10 of the Act. Neither the common law action of passing off requires such registration, nor does the language of section 10 impose any such condition. Statutory and common law principles are aligned on this point. A passing-off action primarily seeks to protect the 'property in goods' that arises from goodwill and reputation, rather than the trademark itself. In contrast, a trademark infringement action is concerned with protecting the 'property in the trademark' as an independent proprietary right.
- 5.32 Moreover, the material on record clearly demonstrates that the unauthorized use of the "Claw Icon Mark" by the Respondent has a two-fold impact. First, it undermines the Complainant's goodwill and poses a risk of business loss through the sale and marketing of lookalike products. Second, it misleads consumers into believing that the Respondent's product is affiliated with or endorsed by the Complainant, thereby distorting consumer perception and potentially influencing their purchasing decisions.
- 5.33 The Complainant has duly registered its trademark and brand in multiple jurisdictions, including Pakistan. The Respondent have neither obtained registration for the "Claw Icon Mark" from the Intellectual Property Organization (IPO) nor registered themselves as a company with SECP. Although, the Respondent claim an affiliation with "Dream Enterprises,"

which holds a registered trademark "LUCKY," however, they have failed to establish any relevance or nexus between that trademark and the disputed "Claw Icon Mark".

- 5.34 Accordingly, it can reasonably be concluded that the Respondent is intentionally using the Complainant's registered trademark to create confusion in the minds of ordinary consumers, leading them to believe that the products or services offered by the Respondent is, in fact, associated with or originate from the Complainant.
- 5.35 In addition to the above, it appears that the Respondent has disseminated false and/or misleading information through its official website (<https://www.universaldc.com.pk/>) and physical retail outlets. The content available on the said website and products available in the market include imitated trademark. Such representations are, *prima facie*, misleading and likely to cause confusion among consumers as to the affiliation, endorsement, or association of the Respondent's goods with those of the Complainant. The dissemination of such false/misleading information, *prima facie*, constitutes a violation of the Act.
- 5.36 In view of the foregoing and material on record, it is concluded that the Respondent has, *prima facie* contravened the provisions of section 10(2)(b) of the Act by disseminating false and/or misleading information to consumers regarding the character, place of production, properties,, and quality of goods. This dissemination of false/misleading information, made through both online and physical platforms, is capable of deceiving consumers and distorting market competition by creating a deceptive association with the Complainant's well-established brand. Such conduct constitutes a, *prima facie*, violation of section 10(1) read with section 10(2)(b) of the Act.

**III. Whether the conduct of the Respondent is capable of harming the business interest of other undertakings in, prima facie, violation of section 10 (2)(a) of the Act?**

- 5.37 The Complainant has contended that the fraudulent adoption and use of its trademark by the Respondent constitutes a clear contravention of the Act. It is submitted that such adoption is likely to cause grave injury to the Complainant's established reputation and goodwill in the market, while unlawfully appropriating public attention in a manner calculated to cause undue harm to the Complainant's offerings.
- 5.38 The Enquiry Committee, vide letter dated November 25, 2025, sought clarification from the Complainant regarding the quantum of loss and/or harm allegedly suffered as a consequence of the Respondent's conduct. In response, the Complainant, vide email dated December 16, 2026, submitted that the harm resulting from the Respondent's conduct is inherently incapable of precise quantification, as it primarily relates to injury to goodwill and reputation rather than direct or immediate monetary loss. It was argued that the Respondent's use of the imitated mark creates a false impression of affiliation, connection, or endorsement, thereby misleading consumers and enabling the Respondent to unlawfully benefit from the Complainant's established market reputation.
- 5.39 In support of its submissions, the Complainant placed reliance on the principles laid down in *Spalding v. Gamage*, wherein it was held that a misrepresentation likely to deceive the public constitutes actionable harm to goodwill even where actual monetary loss cannot be precisely quantified. Further reliance was placed on *Rahim v. Federation of Pakistan* (2023 CLD 1001), wherein the Hon'ble Supreme Court emphasized that the concept of free competition envisages competition through fair means, and that deceptive marketing practices aimed at

unfairly capitalizing on another undertaking's reputation are prohibited under Section 10 of the Act.

5.40 It is observed that, although, the Complainant has not furnished any objective or verifiable material demonstrating that the Respondent's conduct has resulted in actual diversion of sales or a measurable impairment of its business operations in Pakistan. However, in matters relating to injury to goodwill and reputation, proof of actual harm is not a prerequisite. The statutory test under Section 10(2)(a) of the Act is whether the impugned conduct is *capable* of harming the business interests of another undertaking. The capability to cause harm, rather than proof of quantifiable loss, is sufficient to constitute a violation under the said provision.

5.41 Accordingly, the Enquiry Committee concludes that the Respondent's alleged conduct is capable of causing competitive injury of the nature contemplated under Section 10(1) read with Section 10(2)(a) of the Act.

#### **IV. Whether there is a spillover effect of the Respondents' conduct?**

5.42 The imitated trademarked products are offered by the Respondent through its official website and third-party online sales platforms, which are not restricted to any particular province or locality. Instead, these materials are accessible throughout Pakistan via digital and electronic means. Given the nationwide accessibility of such online content, the Respondent's conduct cannot be considered geographically confined.

5.43 Accordingly, it can be concluded that the Respondent's actions have a spillover effect, extending beyond a single jurisdiction or provincial boundaries.

#### **V. Any other violation by the Respondent under section 10 of the Act, or any other provision of the Act.**

5.44 Upon perusal of the complaint, materials and evidence on record, no additional violation of section 10 or any other provision of the Act has been observed beyond those already discussed herein. Accordingly, *prima facie*, no further contravention of the Act is established at this stage.


#### **6. CONCLUSION AND RECOMMENDATIONS.**

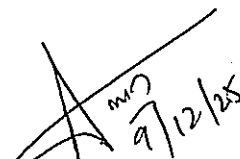
6.1 Based on the information available on record and the submissions made by the parties, the undersigned enquiry officers have concluded that, *prima facie*, both the products of the Complainant and the Respondent has similarity in their packaging and use of "Claw Icon Mark" for marketing their products. The packaging colours and design elements, though slightly different, may not be enough to dissociate the Respondent's products from the Complainant, especially when the Complainant holds worldwide recognition of its trademark, thereby, *prima facie* amounts to violation of section 10(1) read with section 10(2)(d) of the Act.


6.2 The Respondent is also disseminating false and/or misleading information to consumers regarding the character, method or place of production, properties, suitability for use, and quality of goods pertaining to the use of a trademark similar or deceptively similar to "Claw Icon Mark" hence, *prima facie*, amounts to violation of section 10(1) read with section 10(2)(b) of the Act.


A.A. K.B.  
SSZ AB

- 6.3 Although, the Respondent appear to be involved in the distribution of false and/or misleading information, which is capable of harming the business interest of the Complainant, but the Complainant has failed to provide evidence of any harm caused by the Respondent's use of a trademark similar or deceptively similar to "Claw Icon Mark". In contrast, the complainant has faced injury to goodwill and reputation due to the acts of the Respondent. Hence, the case of deceptive marketing practices in terms of section 10(1) read with section 10(2)(a) of the Act is, therefore established.
- 6.4 The acts of the Respondent is not confined to one single province and thus have a spillover effect beyond provincial boundaries. Moreover, no violation of any other provision of the Act has been established during the course of the enquiry.
- 6.5 Therefore, in light of the above mentioned findings, it is recommended that the Commission may consider initiation of proceedings against M/s Universal Distribution Centre under section 30 of the Act for, *prima facie*, violation of section 10(2) (a), (b) and (d) of the Act.

  
 Kashif Bashir  
 Joint Director (OFT)  
 (Enquiry Officer)

  
 Amin Akbar  
 Assistant Director (OFT)  
 (Enquiry Officer)

  
 Syeda Salva A. Zaidi  
 Assistant Director (OFT)  
 (Enquiry Officer)

  
 Adnan Bashir  
 Assistant Director (OFT)  
 (Enquiry Officer)

**REGISTRATIONS OF TRADEMARK OF THE COMPLAINANT IN DIFFERENT JURISDICTIONS**

Country	Trademark	Class	App. #	App. Date	Regn. #	Regn. Date
Argentina	M CLAW Design	32	2667740	03-May-2006	2168590	06-Jul-2007
Australia	M CLAW Design	32	1106343	30-Mar-2006	1106343	15-Jan-2009
Bahrain	M CLAW Design	32	83437	07-Oct-2010	83437	03-Jul-2013
Bangladesh	M CLAW Design	32	141806	17-Apr-2011	141806	08-Dec-2013
Brazil	M CLAW Design	32	828331340	03-May-2006	828331340	17-Nov-2009
Canada	M CLAW Design	32	1195514	07-Nov-2003	TMA637677	19-Apr-2005
China	M CLAW Design	32	5501276	25-Jul-2006	5501276	14-Jun-2009
Egypt	M CLAW Design	32	190836	13-Aug-2006	190836	24-Feb-2010
European Union	M CLAW Design	5, 32	003531639	07-Nov-2003	003531639	18-Feb-2005
France	M CLAW Design	5, 32	103751597	06-Jul-2010	103751597	26-Nov-2010
Hong Kong	M CLAW Design	32	300635373	09-May-2006	300635373	02-Nov-2006
India	M CLAW Design	32	1458027	26-May-2006	1458027	02-Jan-2009
Indonesia	M CLAW Design	32	D00.2006.020153	23-Jun-2006	IDM000151489	03-Jan-2008
Iran	M CLAW Design	32	85050512	29-Jul-2006	149881	01-Jan-2008
Iraq	M CLAW Design	32	50003	20-Sep-2006	50003	19-Nov-2008
Japan	M CLAW Design	32	2006-053818	09-Jun-2006	5044896	11-May-2007
Jordan	M CLAW Design	32	107668	29-Jun-2009	107668	29-Jun-2009
Kenya	M CLAW Design	5, 32	66316	04-Sep-2009	66316	18-Feb-2010
Korea	M CLAW Design	5, 32	40-2006-0028298	26-May-2006	40-0711699	31-May-2007
Kuwait	M CLAW Design	32	79221	27-Aug-2006	68934	27-Aug-2006
Lebanon	M CLAW Design	5, 32	3676	27-May-2009	122361	01-Jun-2009
Malaysia	M CLAW Design	32	06009167	30-May-2006	06009167	24-Sep-2008
Mexico	M CLAW Design	32	777898	18-Apr-2006	942216	30-Jun-2006
New Zealand	M CLAW Design	32	748562	26-May-2006	748562	30-Nov-2006
Norway	M CLAW Design	32	200605700	30-May-2006	236193	08-Nov-2006
Oman	M CLAW Design	32	57044	09-May-2009	57044	29-Dec-2009
Pakistan	M CLAW Design	32	222717	27-May-2006	222717	26-Apr-2010
Panama	M CLAW Design	32	150697	28-Apr-2006	150697	20-Dec-2006
Philippines	M CLAW Design	5, 32	4-2009-012640	08-Dec-2009	4-2009-012640	01-Jul-2010
Qatar	M CLAW Design	32	57868	02-Jul-2009	57868	23-Oct-2011
Russian Federation	M CLAW Design	32	2006714402	29-May-2006	327291	30-May-2007
Russian Federation	M CLAW Design	5,11,12, 20, 28, 29, 30, 32, 41	2015732682	12-Oct-2015	595697	22-Nov-2016

Country	Trademark	Class	App. #	App. Date	Regn. #	Regn. Date
Saudi Arabia	M CLAW Design	32	108678	15-Aug-2006	935/55	02-Aug-2007
Singapore	M CLAW Design	32	T0610564Z	26-May-2006	T0610564Z	03-Jan-2007
South Africa	M CLAW Design	32	2006/09292	28-Apr-2006	2006/09292	17-Sep-2009
Switzerland	M CLAW Design	32	54755/2006	29-May-2006	P548096	14-Jul-2006
Syria	M CLAW Design	32	6770	21-Jul-2009	120827	11-Dec-2011
Taiwan	M CLAW Design	32	095021930	28-Apr-2006	01237373	16-Nov-2006
Thailand	M CLAW Design	32	625240	03-May-2006	KOR262586	12-Jun-2007
Turkey	M CLAW Design	32	2006/25120	29-May-2006	2006 25120	29-May-2006
U.K.	M CLAW Design	32	2439068	21-Nov-2006	2439068	25-May-2007
U.S.A.	M CLAW Design	32	78/246564	07-May-2003	2903214	16-Nov-2004
Vietnam	M CLAW Design	5, 32	4-2006-08831	08-Jun-2006	110167	01-Oct-2008

# APPLICATION OF TRADEMARK REGISTRATION IN CLASS 03

FORM TM-1

357

Application for registration of trade mark for goods or services and to register a domain name Under Section 22 (1), Section 84 (2); Rule 12 (To be accompanied by a duplicate of this Form and by six additional representations affixed on a durable paper size 13" x 8")



Application is hereby made for registration in the register of the accompanying trade mark in class (a) 03 in respect of (b):

Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; deodorants, body sprays, soaps; perfumery, essential oils, cosmetics, fragrances, hair lotions; dentifrices; being goods included in class 03.

In the name(s) of (c) : **Monster Energy Company**  
(a Delaware corporation)

trading as (d) : **Monster Energy Company**

whose trade or business address is (e) : **1 Monster Way,  
Corona, California 92879  
USA**

who claim(s) to be the proprietor(s) thereof and by whom the said mark is  
in respect of said goods (f):

If the application is for a series of marks, indicate how many marks in the series (g):

If the application is for domain name indicate whether it is in respect of goods or services:

If colour is claimed, indicate here and state the colour (h):

Address for service in Pakistan to which all correspondence should be sent (i):  
**UNITED TRADEMARK & PATENT SERVICES**  
Intellectual Property Protection Services  
Attorneys for Trademarks, Service Marks, Patents, Designs, Copyrights & Domain Name  
Postal & Visiting Address: 85-The Mall Road, Lahore 54000 Pakistan  
PHONE: 042-36285571-4 & 36285581-4; FAX: 042-36285585-87 & 042-37323501  
EMAIL: [unitedtrademark@unitedtm.com](mailto:unitedtrademark@unitedtm.com)

Dated this: 22<sup>nd</sup>

day of:

July, 2024

To,  
The Registrar of Trade Marks,  
The Trade Marks Registry,  
Karachi.

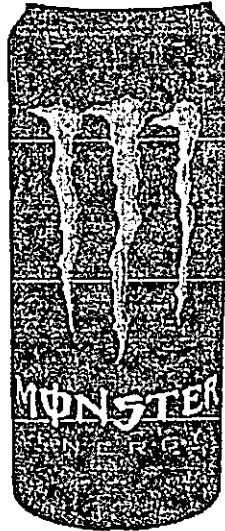
Signature: \_\_\_\_\_

(Applicant's Agent)

JRM TM-1

359

Application for registration of trade mark for goods or services and to register a domain name Under Section 22 (1), Section 84 (2); Rule 12 (To be accompanied by a duplicate of this Form and by six additional representations affixed on a durable paper size 13" x 8")



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In the name(s) of (c) : **Monster Energy Company**  
(a Delaware corporation)

trading as (d) : **Monster Energy Company**

whose trade or business address is (e) : **1 Monster Way,  
Corona, California 92879  
USA**

who claim(s) to be the proprietor(s) thereof and by whom the said mark is in respect of said goods (f):

If the application is for a series of marks, indicate how many marks in the series (g):

If the application is for domain name indicate whether it is in respect of goods or services:

If colour is claimed, indicate here and state the colour (h):

Address for service in Pakistan to which all correspondence should be sent (i):  
**UNITED TRADEMARK & PATENT SERVICES**  
Intellectual Property Protection Services  
Attorneys for Trademarks, Service Marks, Patents, Designs, Copyrights & Domain Name  
Postal & Visiting Address: 85-The Mall Road, Lahore 54000 Pakistan  
PHONE: 042-3628557 1-4 & 36285581-4; FAX: 042-36285585-87 & 042-37323501  
EMAIL: [unitedtrademark@unitedtm.com](mailto:unitedtrademark@unitedtm.com)

Dated this: 22<sup>nd</sup> day of: July, 2024

To,  
The Registrar of Trade Marks,  
The Trade Marks Registry,  
Karachi.

Signature: \_\_\_\_\_  
(Applicant's Agent)