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Trademark dispute

# CCP slaps Rs1 million fine for deceptive marketing

Directs Tara Crop Sciences to stop using 'Tara' brand name

**OUR CORRESPONDENT**  
 ISLAMABAD

The Competition Commission of Pakistan (CCP) has imposed a penalty of Rs1 million on Tara Crop Sciences Private Limited for indulging in deceptive marketing practices by using brand name of another company, Agritech Limited, to sell its products.

The antitrust watchdog also directed Tara Crop Sciences to stop the solitary use of term 'Tara' in its franchise network named 'Tara Zarai Markaz'.

Earlier, the CCP initiated an inquiry after receiving a complaint from Agritech Limited which alleged that its brand Tara was being used fraudulently and illegally by Tara Crop Sciences to market its products and business.

The company was accused of disseminating misleading information, which could harm business interests of Agritech

Limited, according to the CCP.

The CCP enquiry established that Tara Crop Sciences has violated the Competition Act by indulging in deceptive marketing practices. Commenting on the trademark dispute between the two companies, the CCP said granting of proprietary rights in intellectual property remains the sole domain of the Intellectual Property Organisation and the CCP cannot make any determination in this regard.

The CCP's mandate was limited to the protection of registered trademarks only. The commission, however, found Tara Crop Sciences violating Section 10, in addition to disseminating false and misleading information by using Agritech Limited's brand Tara in its franchise network.

The CCP directed Tara Crop Sciences to ensure that its franchise network is renamed to make it perfectly clear that its business has no connection with Agritech Limited. It has sought a compliance report within a month from the Tara Group.



**ORDER:** The CCP directed Tara Crop Sciences to ensure that its franchise network is renamed to make it perfectly clear that its business has no connection with Agritech Limited. PHOTO: REUTERS

Tara Crop Sciences is engaged in the manufacturing and sale of insecticides, herbicides and fungicides. Agritech is a fertiliser and chemical manufacturing company and is engaged in the production of urea phosphate and allied products.

### Tara Group's response

In its written response to the CCP, the Tara Group stipulated that the complaint is not maintainable as a civil suit re-

garding the same matter was currently under adjudication before the additional district judge, Lahore.

The company also denied violation of the CCP Act, asserting that it was a prior user of the term Tara, as evident from the NTN certificate obtained for its company Tara Packages.

It stressed that the complainant's registered trademarks are Tara DAP, Tara Urea and Tara MOP and that the individual trademark Tara has not been

registered by them and is therefore not protected. The Tara Group said Tara Zarai Markaz is used exclusively for the sale of pesticides by the company.

It also clarified that the logo Tara Zarai Markaz is entirely different from that of Agritech Limited and argued that an ordinary consumer – a farmer – could easily distinguish between the two.

The Tara Group concluded that approximately 200 outlets of Tara Zarai Markaz were already in operation and these would only be engaged in the sale of pesticides.

It said it had strictly restrained their franchises from selling or stocking any product produced by Agritech Limited.

However, the CCP did not accept the company's views and slapped a fine of Rs1 million.

On its part, Agritech said it had launched Tara brand in 2006 and invested Rs87.1 million to get the brand recognised among farmers and dealers. The trademarks Tara Urea, Tara DAP and Tara MOP are registered with the Trademarks Registry.

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## Firm fined Rs1m for deception

By A Reporter

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ISLAMABAD: The Competition Commission of Pakistan (CCP) has issued an order imposing a penalty of Rs1 million on Tara Crop Sciences Private Limited for deceptive marketing practices.

The company was accused of dissemination of misleading information which was capable of harming the business interests of another company M/s Agritech Limited.

The CCP order also requires M/s Tara Crop Sciences Private Limited to cease solitary use of the term 'Tara' in its franchise network, named 'Tara Zarai Markaz'.

The order has been issued by a bench, comprising Vadiyya Khalil, Chairperson, Dr. Shahzad Ansar, Member, and Ikram Ul Haque Qureshi, Member.

The CCP initiated an enquiry into the matter after receiving a complaint from M/s Agritech Limited wherein it was alleged that its brand 'Tara' was being used fraudulently and illegally by Tara Crop Sciences to market its products and business.

A show-cause notice was issued on the basis of the enquiry report, which found M/s Tara Crop Sciences Private Limited to be in prima facie violation of Section 10 of the Act.

The order directed M/s Tara Crop Sciences Private Limited to ensure that its franchise network is renamed so as to make it perfectly clear that its business has no connection with M/s Agritech Limited's brand or products, and to file a compliance report with the Registrar of the CCP within 30 days.



Deceptive marketing practices

## CCP imposes Rs1m penalty on Tara Crop Sciences Pvt Ltd

ISLAMABAD: The Competition Commission of Pakistan (CCP) has issued an order imposing a penalty of PKR 1 million on M/s Tara Crop Sciences Private Limited for deceptive marketing practices in violation of Section 10 of the Competition Act, 2010.

The order also requires M/s Tara Crop Sciences Private Limited to cease solitary use of the term 'Tara' in its franchise network named 'Tara Zarai Markaz'. The order has been issued by a bench comprising Vadiyya Khalil, Chairperson, Dr Shahzad Ansar, Member (OFT and Advocacy), and Ikram Ul Haque Qureshi, Member (Cartels & Trade Abuses, and Legal).

The CCP initiated an enquiry into the matter after receiving a complaint from M/s Agritech Limited wherein it was alleged that its brand 'Tara' was being used fraudulently and illegally by Tara Crop Sciences to mar-

ket its products and business. The company was accused of dissemination of misleading information which was capable of harming the business interests of M/s Agritech Limited.

A show cause notice was issued on the basis of the enquiry report, which found M/s Tara Crop Sciences Private Limited to be in prima facie violation of Section 10 of the Act.

The order denotes that with regards to trademark disputes, the granting of proprietary rights in intellectual property remains the sole domain of the Intellectual

Property Organization and CCP cannot make any determinations in this regard. Under section 10 (2) (d) of the Competition Act, CCP's mandate is limited to the protection of registered trademarks only. CCP, however, found M/s Tara Crop Sciences Private Limited in violation of Section 10 (1) read with Sections 10 (2)

(a) and (b) of the Act for disseminating false and misleading information by using M/s Agritech Limited's brand 'Tara' in its franchise network. The order found that the misleading use of the brand 'tara' was capable of harming the business interests of M/s Agritech Limited and deceiving the general public.

The order, therefore, directed M/s Tara Crop Sciences Private Limited to ensure that its franchise network is renamed so as to make it perfectly clear that its business has no connection with M/s Agritech Limited's brand or products, and to file a compliance report with the Registrar of the CCP within a period of thirty (30) days from the date of issuance of the order.

CCP has geared up enforcement actions against undertakings that harm consumers and their competitors by engaging in deceptive marketing practices.—PR

## Company fined for deceptive marketing practices

**Mehtab Haider**

ISLAMABAD: The Competition Commission of Pakistan (CCP) has issued an order imposing a penalty of Rs 1 million on M/s Tara Crop Sciences (Pvt) Limited for deceptive marketing practices in violation of Section 10 of the Competition Act, 2010.

The order also requires M/s Tara Crop Sciences (Pvt) Limited to cease solitary use of the term 'Tara' in its franchise network named 'Tara Zarai Markaz'. The order has been issued by a bench comprising Ms Vadiyya Khalil, Chairperson, Dr Shahzad Ansar, Member (OFT and Advocacy), and Ikram Ul Haque Qureshi, Member (Cartels & Trade Abuses, and Legal).

The CCP initiated an enquiry into the matter after receiving a complaint from M/s Agritech Limited wherein it was alleged that its brand 'Tara' was being used fraudulently and illegally by Tara Crop Sciences to market its products and business. The company was accused of dissemination of misleading information which had the potential to harm the business interests of M/s Agritech Limited.

A show cause notice was issued on the basis of the enquiry report, which found M/s Tara Crop Sciences (Pvt) Limited to be in prima facie violation of Section 10 of the Act.

The order denotes that with

regard to trademark disputes, the granting of proprietary rights in intellectual property remains the sole domain of the Intellectual Property Organisation and CCP cannot make any determinations in this regard. Under section 10 (2) (d) of the Competition Act, CCP's mandate is limited to the protection of registered trademarks only. CCP, however, found M/s Tara Crop Sciences (Pvt) Limited in violation of Section 10 (1) read with Sections 10 (2) (a) and (b) of the Act for disseminating false and misleading information by using M/s Agritech Limited's brand 'Tara' in its franchise network. The order found that the misleading use of the brand 'Tara' had the potential to harm the business interests of M/s Agritech Limited and deceiving the general public.

The order, therefore, directed M/s Tara Crop Sciences (Pvt) Limited to ensure that its franchise network is renamed so as to make it perfectly clear that its business has no connection with M/s Agritech Limited's brand or products, and to file a compliance report with the Registrar of the CCP within a period of thirty (30) days from the date of issuance of the order.

CCP has geared up enforcement actions against undertakings that harm consumers and their competitors by engaging in deceptive marketing practices.



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## CCP imposes penalty on firm

**N****OUR STAFF REPORTER  
ISLAMABAD**

The Competition Commission of Pakistan (CCP) has issued an order imposing a penalty of Rs 1 million on M/s Tara Crop Sciences Private Limited for deceptive marketing practices in violation of Section 10 of the Competition Act, 2010.

The order also requires M/s Tara Crop Sciences Private Limited to cease solitary use of the term 'Tara' in its franchise network named 'Tara Zarai Markaz'. The order has been issued by a bench comprising Ms Vadiyya Khalil, Chairperson, Dr. Shahzad Ansar, Member (OFT and Advocacy), and Ikram Ul Haque Qureshi, Member (Cartels & Trade Abuses, and Legal).

The CCP initiated an enquiry into the matter after receiving a complaint from M/s Agritech Limited wherein it was alleged that its brand 'Tara' was being used fraudulently and illegally by Tara Crop Sciences to market its products and business. The company was accused of dissemination of misleading information which was capable of harming the business interests of M/s Agritech Limited. A show cause notice was issued on the basis of the enquiry report, which found M/s Tara Crop Sciences Private Limited to be in prima facie violation of Section 10 of the Act.

The order denotes that with regards to trademark disputes, the granting of proprietary rights in intellectual property remains the sole domain of the Intellectual Property Organisation and CCP cannot make any determinations in this regard. Under section 10 (2) (d) of the Competition Act, CCP's mandate is limited to the protection of registered trademarks only.

# CCP imposes Rs 1m penalty on company for deceptive marketing

STAFF REPORTER

ISLAMABAD—The Competition Commission of Pakistan (CCP) has issued an order imposing a penalty of PKR 1 million on M/s Tara Crop Sciences Private Limited for deceptive marketing practices in violation of Section 10 of the Competition Act, 2010. The order also requires M/s Tara Crop Sciences Private Limited to cease solitary use of the term 'Tara' in its franchise network named 'Tara Zarai Markaz'. The order has been issued by a bench comprising Ms. Vadiyya Khalil, Chairperson, Dr. Shahzad Ansar, Member (OFT and Advocacy), and Ikram Ul Haque Qureshi, Member (Cartels & Trade Abuses, and Legal).

The CCP initiated an enquiry into the matter after receiving a complaint from M/s Agritech Limited wherein it was alleged that its brand 'Tara' was being used fraudulently and illegally by Tara Crop Sciences to market its products and business. The company was accused of dissemination of misleading information which was capable of harming the business interests of M/s Agritech Limited.

A show cause notice was issued on the basis of the enquiry report, which found M/s

Tara Crop Sciences Private Limited to be in prima facie violation of Section 10 of the Act. The order denotes that with regards to trademark disputes, the granting of proprietary rights in intellectual property remains the sole domain of the Intellectual Property Organization and CCP cannot make any determinations in this regard. Under section 10 (2) (d) of the Competition Act, CCP's mandate is limited to the protection of registered trademarks only. CCP, however, found M/s Tara Crop Sciences Private Limited in violation of Section 10 (1) read with Sections 10 (2) (a) and (b) of the Act for disseminating false and misleading information by using M/s Agritech Limited's brand 'Tara' in its franchise network. The order found that the misleading use of the brand 'tara' was capable of harming the business interests of M/s Agritech Limited and deceiving the general public.

The order, therefore, directed M/s Tara Crop Sciences Private Limited to ensure that its franchise network is renamed so as to make it perfectly clear that its business has no connection with M/s Agritech Limited's brand or products, and to file a compliance report with the Registrar of the CCP within a period of thirty (30) days from the date of issuance of the order.



## CCP IMPOSES RS 1M FINE ON COMPANY FOR DECEPTIVE MARKETING

**ISLAMABAD:** The Competition Commission of Pakistan (CCP) on Monday issued an order imposing a penalty of Rs 1 million on Tara Crop Sciences Private Limited for deceptive marketing practices in violation of Section 10 of the Competition Act, 2010. The order also requires Tara Crop Sciences Private Limited to cease solitary use of the term 'Tara' in its franchise network named 'Tara Zarai Markaz', according to statement issued by CCP. The order has been issued by a bench comprising Chairperson Vadiyya Khalil, OFT and Advocacy Member Dr Shahzad Ansar and Cartels, Trade Abuses and Legal Member Ikram Ul Haque Qureshi. The CCP initiated an enquiry into the matter after receiving a complaint from Agritech Limited wherein it was alleged that its brand 'Tara' was being used fraudulently and illegally by Tara Crop Sciences to market its products and business. The company was accused of dissemination of misleading information which was capable of harming the business interests of Agritech Limited. A show cause notice was issued on the basis of the enquiry report, which found Tara Crop Sciences Private Limited to be in prima facie violation of Section 10 of the Act. **STAFF REPORT**

### مسابقتی کمیشن نے تارہ کراپ

پر 10 لاکھ روپے جرمانہ عائد کر دیا

اسلام آباد (کامرس رپورٹرز) مسابقتی کمیشن پاکستان نے تارہ کراپ سائنسز پرائیویٹ لمیٹڈ پر مسابقتی ایکٹ 2010 کی شق 10 کی خلاف ورزی پر جو کہ دھوکہ دہی پر مبنی تسمیہ سے متعلقہ ہے، ایک آرڈر جاری کرتے ہوئے 10 لاکھ روپے جرمانہ عائد کر دیا ہے۔ مسابقتی کمیشن کے بیچ میں وادیا خلیل چیمبر پرسن، ڈاکٹر شہزاد انصرا اور اکرام الحق قریشی شامل تھے مسابقتی کمیشن نے اس معاملے پر انکو آری ایگریٹیک لمیٹڈ کی جانب سے شکایت کے بعد کی انکو آری رپورٹ کی بنیاد پر ایک شو کاز نوٹس جاری کیا گیا تھا جس میں تارہ کراپ سائنسز کو بادی النظر میں مسابقتی ایکٹ کی شق 10 کی خلاف ورزی کا مرتکب پایا گیا تھا۔ اس آرڈر میں تارہ کراپ سائنسز کو حکم دیا گیا کہ وہ اس بات کو یقینی بنائے کہ اس کے فرینچائز نیٹ ورک کا نیا نام رکھا جائے۔



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## مسابقتی کمیشن کا تارا کراپ سائنسز پر 10 لاکھ روپے جرمانہ

تارہ کی اصطلاح کا استعمال بند کر کے فریجیاژ نیٹ ورک کو نیا نام دینے کی ہدایت ایگریٹیک کی شکایت پر کارروائی، 30 روز کے اندر تعمیل کی رپورٹ دینے کا بھی حکم

اسلام آباد (نمائندہ اکیس برس) مسابقتی کمیشن آف پاکستان (سی سی پی) نے تارہ کراپ سائنسز پرائیویٹ لمیٹڈ (M/s Tara Crop Sciences Pvt Ltd) کو مسابقتی ایکٹ 2010 کی شق 10 کی خلاف ورزی پر 10 لاکھ روپے جرمانہ کر دیا ہے۔ اس ضمن میں سی سی پی کی جانب سے مذکورہ کمپنی کے خلاف باضابطہ طور پر آرڈر جاری کر دیا گیا ہے جس میں کہا گیا ہے کہ مینسز تارہ کراپ سائنسز لمیٹڈ پر مسابقتی ایکٹ کی خلاف ورزی کرنے پر 10 لاکھ روپے جرمانہ عائد کیا گیا ہے۔ مسابقتی کمیشن آف پاکستان کی جانب سے جاری کردہ مذکورہ آرڈر کے ذریعے یہ حکم بھی دیا گیا ہے کہ تارہ کراپ سائنسز پرائیویٹ لمیٹڈ "تارہ" کی اصطلاح کے استعمال کو اپنے فریجیاژ نیٹ ورک کے نام "تارہ زرعی مرکز" میں استعمال کرنا بند کر دے، یہ آرڈر مسابقتی کمیشن کے جس بیج نے جاری کیا اس میں چیئرمین وادیا غلیل، ممبر ایڈووکیٹ اور ایف ڈی ڈاکٹر شہزاد انصاری اور ممبر کارٹریج ٹریڈ ایویو ز اور لیگل اکرام الحق قریشی شامل ہیں۔ مسابقتی کمیشن نے اس معاملے پر ایگروائی ایگریٹیک لمیٹڈ (M/s Agritech Limited) کی جانب سے موصول ہونے والی شکایت کے بعد شروع کی تھی جس میں یہ الزام لگایا گیا تھا کہ اس کے برانڈ "تارہ" کو تارہ کراپ سائنسز پرائیویٹ لمیٹڈ دھوکے سے اور غیر قانونی طور پر اپنی مصنوعات اور کاروبار کی تشہیر کے لیے استعمال کر رہی ہے، ایگروائی رپورٹ کی بنیاد پر ایک شوکاژ نوٹس جاری کیا گیا تھا جس میں تارہ کراپ سائنسز کو ہادی انظر میں مسابقتی ایکٹ کی شق 10 کی خلاف ورزی کا مرتکب پایا گیا تھا، اس آرڈر میں تارہ کراپ سائنسز کو حکم دیا گیا کہ وہ اس بات کو یقینی بنائے کہ اس کے فریجیاژ نیٹ ورک کا نیا نام رکھا جائے تاکہ یہ بات بالکل واضح ہو سکے کہ اس کے بزنس کا ایگریٹیک لمیٹڈ کے برانڈ اور پروڈکٹ سے کسی قسم کا کوئی تعلق نہیں اور اس حکم کی تعمیل سے متعلق رپورٹ رجسٹرار مسابقتی کمیشن کے پاس 30 یوم کے اندر جمع کرائی جائے۔

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## دھوکا دہی پر بدنی تشہیر ایکریکل اور فزٹیل انٹرنیشنل کی 10 لاکھ روپے جرمانہ

تارہ کراپ سائنسز کو تارہ کی اصطلاح اور اپنے فرنیچاٹرنیٹ ورک کے نام میں تارہ زرعی مرکز کا استعمال بند کرنے کی ہدایت

جاری کیا گیا تھا جس میں تارہ کراپ سائنسز کو بادی انظر میں مسابقتی ایکٹ کی شق 10 کی خلاف ورزی کا مرتکب پایا گیا تھا، اس آرڈر میں تارہ کراپ سائنسز کو حکم دیا گیا کہ وہ اس بات کو یقینی بنائے کہ اس کے فرنیچاٹرنیٹ ورک کا نیا نام رکھا جائے تاکہ یہ بات بالکل واضح ہو سکے کہ اس کے برنس کا ایگریٹیک لمیٹڈ کے برانڈ اور پر اڈکٹ سے کسی قسم کا کوئی تعلق نہیں اور اس حکم کی تعمیل سے متعلق رپورٹ رجسٹرار مسابقتی کمیشن کے پاس 30 یوم کے اندر جمع کرائی جائی۔

جس بیچ نے جاری کیا اس میں چیئر پرسن ودیا غیل، ڈاکٹر شہزاد انصر ممبر ایڈوکیٹس اور ایف بی اور اکرام الحق قریشی ممبر سی اینڈ ٹی اے اور لیگل شامل ہیں، مسابقتی کمیشن نے اس معاملے پر ایگوائزی ایگریٹیک لمیٹڈ کی جانب سے موصول ہونے والی شکایت کے بعد شروع کی تھی جس میں یہ الزام لگایا گیا تھا کہ اس کے برانڈ تارہ کو تارہ کراپ سائنسز پر ایگریٹیک لمیٹڈ دھوکے سے اور غیر قانونی طور پر اپنی مصنوعات اور کاروبار کی تشہیر کے لئے استعمال کر رہا ہے، ایگوائزی رپورٹ کی بنیاد پر ایک شو کاؤنٹس

اسلام آباد (کامرس ڈیسک) مسابقتی کمیشن آف پاکستان نے تارہ کراپ سائنسز پر ایگریٹیک لمیٹڈ پر دھوکہ دہی پر بدنی تشہیر سے متعلق مسابقتی ایکٹ 2010 کی شق 10 کی خلاف ورزی پر ایک آرڈر جاری کرتے ہوئے کمپنی پر 10 لاکھ روپے جرمانہ عائد کر دیا ہے، اس آرڈر کے ذریعے یہ حکم بھی دیا گیا ہے کہ تارہ کراپ سائنسز پر ایگریٹیک لمیٹڈ "تارہ" کی اصطلاح کے استعمال کو اپنے فرنیچاٹرنیٹ ورک کے نام "تارہ زرعی مرکز" میں استعمال کرنا بند کر دے، یہ آرڈر مسابقتی کمیشن کے