

CCP penalises five courier service providers for deceptive marketing

By Mehlab Haider

ISLAMABAD: The Competition Commission of Pakistan (CCP) has imposed a penalty of Rs4.5 million on five local courier service providers for using deceptive marketing practices, said sources.

A CCP bench comprising chairperson Rahat Kaunain Hassan and members Mueen Batlay and Dr Shehzad Ansar, passed an order in a complaint filed by DHL Pakistan (Pvt.) Limited. After hearing the parties, they imposed the following penalties on five local courier service providers: Rs.5,00,000 on Uzair, Rs 1,000,000 on Asif Iqbal, Rs1,000,000 on Malik M Pervaiz, Rs1,000,000 on Nauman Anwer Butt and Rs1,000,000 on Raja Asir Munir. Two respondents, Rehan and ICS Courier, were forthcoming and discontinued using the DHL trademark during the proceedings. Therefore, the commission, while taking a lenient view, did not impose penalty on them.

DHL Pakistan (Pvt.) Limited had lodged a complaint with the CCP that seven courier providers were using its trademark without authorisation, which is misleading and false and in violation of section 10 of the Competition Act, 2010. An inquiry conducted by the CCP established that the trademark of DHL was fraudulently being used by the accused courier service providers and recommended further action against them. The CCP bench, after hearing out the parties and analysing the documents placed on the record, concluded that the alleged conduct of the respondents aimed at capitalising on the goodwill attached to DHL's trademark.

The CCP bench observed that part of any business' identity was the goodwill it had established with consumers, while part of a product's identity was the reputation it had earned for quality and value. In a larger sense, trademarks promoted initiative and enterprise

worldwide by rewarding the trademark owners with recognition and financial profit. Trademark protection also hindered the efforts of unfair competitors, such as counterfeiters, to use similar signs to market inferior or different products or services. This enabled people with skill and enterprise to market goods and services in fair conditions, thereby facilitating international trade.

The CCP bench reprimanded the respondents to ensure responsible behaviour in future regarding marketing their business and directed them to discontinue the use of DHL trademark with immediate effect. They were further directed to file commitments with the registrar of the commission reporting compliance with the order within 15 days. If they failed to do so, they would be liable under section 38 of the Competition Act to pay an additional penalty of Rs500,000 per day from the date of such violation.

03 Jan 2013

Page # 8

Violation of Act

CCP imposes Rs4.5m penalty on five local couriers

ISLAMABAD: The Competition Commission of Pakistan (CCP) has imposed a total penalty of Rs4.5 million on five local courier service providers for violating Section-10 of the Competition Act, 2010 that deals with deceptive marketing practices.

A CCP Bench comprising of Chairperson Ms Rahat Kaunain Hassan and Members Mueen Batlay and Dr Shehzad Ansar, passed an order in a complaint filed by DHL Pakistan (Pvt.) Limited and after hearing the parties, imposed the following penalties on five local courier service providers: Rs 500,000 on Uzair, Rs 1,000,000 on Asif Iqbal; Rs 1,000,000 on Malik M. Pervaiz; Rs 1,000,000 on Nauman Anwer Butt; and Rs 1,000,000 on Raja Asir Munir.

Two respondents, Rehan and ICS Courier, were forthcoming and discontinued using the DHL trademark during the proceedings, therefore, the Commission while taking a lenient view did not impose penalty on them.

DHL Pakistan (Pvt.) Limited

had lodged a complaint with CCP that seven courier providers were using its trademark without authorization, which is misleading and false and in violation of the Section-10 of the Competition Act, 2010 (Competition Act). An enquiry conducted by CCP established that the trademark of DHL was fraudulently being used by the accused courier service providers and recommended further action against them. The CCP Bench after hearing the parties at length and analyzing the documents placed on the record concluded that the alleged conduct of the Respondents was aimed at capitalizing on the goodwill attached to DHL trademark.

The CCP bench observed that part of any business's identity was the goodwill it had established with consumers, while part of a product's identity was the reputation it had earned for quality and value. In a larger sense, trademarks promoted initiative and enterprise worldwide by rewarding the owners of

trademarks with recognition and financial profit.

Trademark protection also hindered the efforts of unfair competitors, such as counterfeiters, to use similar distinctive signs to market inferior or different products or services. This enabled people with skill and enterprise to produce and market goods and services in fair conditions, thereby facilitating international trade.

The CCP bench reprimanded the respondents to ensure responsible behaviour in future with respect to the marketing of their business and directed them to discontinue the use of trademark of DHL with immediate effect.

They were further directed to file the commitments with the Registrar of the Commission reporting compliance with the Order within 15 days, failing which they shall be made further liable under Section-38 of the Competition Act to pay an additional penalty amounting to Rs 500,000 per day from the date of such violation.—PR

5 courier service providers fined

By A Reporter

ISLAMABAD, Jan 2: The Competition Commission of Pakistan (CCP) has imposed a total penalty of Rs4.5 million on five local courier service providers illegally using the trademark of DHL, courier service, which is a violation of section 10 of the Competition Act 2010 that deals with deceptive marketing practices.

A CCP bench comprising Chairperson Rahat Kaunain Hassan, Mueen Batlay and Dr Shehzad Ansar, passed an order in a complaint filed by DHL Pakistan (Pvt) Limited that seven courier providers were using its trademark without authorisation, which is misleading and false.

An enquiry conducted by

CCP over the complaint and it was established that the trademark of DHL was fraudulently being used by the accused courier service providers and recommended further action against them.

After hearing the parties, CCP bench imposed penalties on five local courier service providers.

However, no penalty had been imposed on two respondents Mr Rehan and ICS Courier as they discontinued using the DHL trademark during the proceedings of the enquiry and the Commission took a lenient view.

The CCP bench also warned the local couriers to ensure responsible behaviour in future with respect to the marketing of their business

and directed them to discontinue the use of DHL trademark with immediate effect.

The CCP bench in its decision said that trademark protection was needed to discourage unfair competition means, such as counterfeiters, to use similar distinctive signs to market inferior or different products or services.

"This enabled people with skill and enterprise to produce and market goods and services in fair conditions, thereby facilitating international trade," the CCP order said.

Apart from the penalties the five local couriers have been directed to file commitments with the Registrar of CCP reporting compliance with the Order within 15 days.

CCP imposed Rs.4.5m penalty on 5 local courier service providers

TARIQ KHATTAK

ISLAMABAD—The Competition Commission of Pakistan (CCP) has imposed a total penalty of Rs. 4.5 Million on five local courier service providers for violating section 10 of the Competition Act, 2010 that deals with deceptive marketing practices.

A CCP Bench comprising of Chairperson Ms. Rahat Kaunain Hassan and Members Mr. Mueen Batlay

and Dr. Shehzad Ansar, passed an order in a complaint filed by DHL Pakistan (Pvt.) Limited and after hearing the parties, imposed the following penalties on five local courier service providers: Rs. 5,00,000/- on Mr. Uzair; Rs. 1,000,000/- on Mr. Asif Iqbal; Rs. 1,000,000/- on Mr. Malik M. Pervaiz; Rs. 1,000,000/- on Mr. Nauman Anwer Butt; and Rs. 1,000,000/- on Raja Asir Munir. Two respondents, Mr. Rehan and ICS Courier, were

forthcoming and discontinued using the DHL trademark during the proceedings, therefore, the Commission while taking a lenient view did not impose penalty on them.

DHL Pakistan (Pvt.) Limited had lodged a complaint with CCP that seven courier providers were using its trademark without authorization, which is misleading and false and in violation of the Section 10 of the Competition Act, 2010 (Competition

Act). An enquiry conducted by CCP established that the trademark of DHL was fraudulently being used by the accused courier service providers and recommended further action against them. The CCP Bench after hearing the parties at length and analyzing the documents placed on the record concluded that the alleged conduct of the Respondents was aimed at capitalizing on the goodwill attached to DHL trademark.

The CCP bench observed that part of any business's identity was the goodwill it had established with consumers, while part of a product's identity was the reputation it had earned for quality and value. In a larger sense, trademarks promoted initiative and enterprise worldwide by rewarding the owners of trademarks with recognition and financial profit. Trademark protection also hindered the efforts of unfair

competitors, such as counterfeiters, to use similar distinctive signs to market inferior or different products or services. This enabled people with skill and enterprise to produce and market goods and services in fair conditions, thereby facilitating international trade.

The CCP bench reprimanded the respondents to ensure responsible behavior in future with respect to the marketing of their business and directed them to

discontinue the use of trademark of DHL with immediate effect. They were further directed to file the commitments with the Registrar of the Commission reporting compliance with the Order within 15 days, failing which they shall be made further liable under Section 38 of the Competition Act to pay an additional penalty amounting to Rs. 500,000/- per day from the date of such violation.

CCP imposes Rs 4.5m penalty on 5 local courier service providers

ISLAMABAD: Competition Commission of Pakistan (CCP) has imposed a total penalty of Rs 4.5 million on five local courier service providers for violating section 10 of the Competition Act 2010 that deals with deceptive marketing practices.

A CCP Bench comprising of Chairperson Ms Rahat Kaunain Hassan and members Mueen Batlay and Dr Shehzad Ansar passed an order in a complaint filed by DHL Pakistan (Pvt) Limited and after hearing the parties, imposed the penalties on five local courier service providers Rs 500,000 on Uzair, Rs one million on Asif Iqbal, Rs one million on Malik M Pervaiz, Rs one million on Nauman Anwer Butt and Rs one million on Raja Asir Munir. Two respondents Rehan and ICS Courier were forthcoming and discontinued using the DHL trademark during the proceedings, therefore the Commission while taking a lenient view did not impose penalty on them.

DHL Pakistan (Pvt) Limited had lodged a complaint with CCP seven courier providers were using its trademark without authorisation, which was misleading and false and in violation of the Section 10 of the Competition Act, 2010 (Competition Act). An enquiry by CCP established the trademark of DHL was fraudulently being used by the accused courier service providers and recommended further action against them. **STAFF REPORT**

Deceptive marketing

CCP slaps fine on courier service providers

Action taken following complaint from DHL Pakistan

OUR CORRESPONDENT
 ISLAMABAD

The Competition Commission of Pakistan (CCP) has imposed a penalty of Rs4.5 million on five local courier service providers for violating Section 10 of the Competition Act 2010 that deals with deceptive marketing practices.

A CCP bench passed an order after hearing the parties in a complaint filed by DHL Pakistan (Private) Limited.

CCP took a lenient view and did not slap penalty on two of the respondents, who were forthcoming and discontinued using the DHL trademark during the proceedings.

In the complaint, DHL had said seven courier service pro-

viders were using its trademark without authorisation, terming it misleading and false and in violation of Section 10 of the Competition Act 2010.

The CCP bench, after hearing the parties and analysing documents, concluded that the conduct of respondents was aimed at capitalising on the goodwill attached to the DHL trademark.

In a larger sense, it observed, trademarks promoted initiative and enterprise worldwide by rewarding owners of trademarks with recognition and financial profit. Trademark protection also hindered efforts of unfair competitors, such as counterfeiters, to use similar distinctive signs to market inferior or different products or services.

The bench has asked the respondents to ensure responsible behaviour in the future.

وقت و مقام

Page # 7

03 Jan 2013

قانون کی خلاف ورزی، پانچ مقامی کورٹس پر 45 لاکھ روپے جرمانہ

اسلام آباد (نمائندہ خصوصی) مسابقتی کمشن نے قانون کی خلاف ورزی پر 5 مقامی کورٹس سروس فراہم کرنے والے افراد پر 45 لاکھ روپے جرمانہ عائد کیا ہے۔ سی سی پی کے بیج نے جو چیئر پرسن راحت کوئین حسن معین بانٹے اور ڈاکٹر شہزاد الصنار پر مشتمل تھا نے ڈی ایچ ایل پاکستان لمیٹڈ کی ایک شکایت پر مسز عزیز پر 5 لاکھ روپے آصف اقبال پر 10 لاکھ روپے ایم پرویز پر 10 لاکھ روپے نعمان انور پر 10 لاکھ روپے راجا عصر میز پر 10 لاکھ روپے جرمانہ عائد کیا۔



Page # 14
03 Jan 2013

پانچ مقامی کوریئر کمپنیوں کو فریبانہ

مارکیٹنگ پر 45 لاکھ روپے جرمانہ

لاہور اسلام آباد (کامرس رپورٹرز گزٹو) مسابقتی کمیشن نے پانچ مقامی کوریئر کمپنیوں کو فریبانہ مارکیٹنگ کرنے پر 45 لاکھ روپے جرمانہ عائد کر دیا۔ راحت کوئٹہ مین بسٹے اور ڈاکٹر شہزاد عنصر پر مشتمل ٹینچ نے ڈی ایچ ایل پاکستان کی شکایت پر کہ مقامی کوریئر کمپنیاں ڈی ایچ ایل کا لوگو استعمال کرنے لوگوں کو اپنی طرف راغب کرتی ہیں حالانکہ ان کے ساتھ کمپنی کا کوئی معاہدہ نہیں پر ساعت کی کمیشن نے آصف اقبال، ملک پرویز، نعمان انور بٹ اور راجہ عاثر منیر پر دس دس لاکھ روپے دیکھے عزیز پر پانچ لاکھ روپے جرمانہ عائد کیا۔