

03 Jan 2013 Page # 18

CCP penalises five courier service providers for deceptive marketing

By Mehtab 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 Idbal. 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 -10 the proceedings. Therefore, the commission, while taking a lea nient 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 idena larger sense, trademarks pro- per day from the date of such moted initiative and enterprise violation.

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 tity was the reputation it had the Competition Act to pay an earned for quality and value. In additional penalty of Rs500,000



03 Jan 2013 Page # 8

Violation of Act CCP imposes Rs4.5m tion and on also penalty on five unfair iterfeitinctive or diflocal couriers This and har-

ition Commission of Pakistan CCP that seven courier financial profit. (CCP) has imposed a total providers were using its tradepenalty of Rs4.5 million on five mark without authorization, hindered the efforts of unfair local courier service providers which is misleading and false competitors, such as counterfeitfor violating Section-10 of the and in violation of the Section- ers, to use similar distinctive Competition Act, 2010 that 10 of the Competition Act, 2010 signs to market inferior or difdeals with deceptive marketing (Competition Act). An enquiry ferent products or services. This' practices.

Chairperson Ms Rahat Kaunain fraudulently being used by the ket goods and services in fair Hassan and Members Mueen accused courier service conditions, thereby facilitating Batlay and Dr Shehzad Ansar, providers and recommended international trade. passed an order in a complaint further action against them. The The CCP bench reprimanded filed by DHL Pakistan (Pvt.) CCP Bench after hearing the the respondents to ensure Limited and after hearing the parties at length and analyzing responsible behaviour in future penalties on five local courier record concluded that the their business and directed them service providers: Rs 500,000 alleged conduct of the to discontinue the use of tradeon Uzair, Rs 1,000,000 on Asif Respondents was aimed at capi- mark of DHL with immediate Iqbal; Rs 1,000,000 on Malik talizing on the goodwill attached effect. M. Pervaiz; Rs 1,000,000 on to DHL trademark. Nauman Anwer Butt; and Rs 1,000,000 on Raja Asir Munir.

ICS Courier, were forthcoming lished with consumers, while Order within 15 days, failing and discontinued using the DHL part of a product's identity was which they shall be made further trademark during the proceed- the reputation it had earned for liable under Section-38 of the ings, therefore, the Commission quality and value. In a larger Competition Act to pay an addiwhile taking a lenient view did sense, trademarks promoted ini- tional penalty amounting to Rs not impose penalty on them.

DHL Pakistan (Pvt.) Limited by rewarding the owners of such violation .- PR

ISLAMABAD: The Compet- had lodged a complaint with trademarks with recognition and

Trademark protection also conducted by CCP established enabled people with skill and A CCP Bench comprising of that the trademark of DHL was enterprise to produce and mar-"

parties, imposed the following the documents placed on the with respect to the marketing of

They were further directed to The CCP bench observed that file the commitments with the part of any business's identity Registrar of the Commission Two respondents, Rehan and was the goodwill it had estab- reporting compliance with the tiative and enterprise worldwide 500,000 per day from the date of



Page # 11 3 Jan 2013

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.

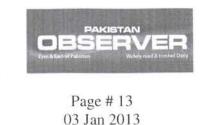
However, no penalty had been imposed on two respondents Mr Rehan and ICS Courier as they discontinued using the DHL trademark during the proceedings of the enquiry and the Commission took a lenient view.

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 trade mark 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.



All the total number of the of the tangent the and the of the persons the person of th

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

TARIQ KHATTAK and Dr. Shehzad Ansar, forthcoming and discontin- tion Act). An enquiry con- The CCP bench ob- competitors, such as coun- discontinue the use of passed an order in a com- ued using the DHL trademark ducted by CCP established served that part of any terfeiters, to use similar dis- trademark of DHL with im-Islamabab—The Competi- plaint filed by DHL Pakistan during the proceedings, that the trademark of DHL business's identity was the tinctive signs to market in- mediate effect. They were tion Commission of Pakistan (Pvt.) Limited and after hear- therefore, the Commission was fraudulently being used goodwill it had established ferior or different products further directed to file the (CCP) has imposed a total ing the parties, imposed the while taking a lenient view by the accused courier ser- with consumers, while part or services. This enabled commitments with the penalty of Rs. 4.5 Million on following penalties on five did not impose penalty on vice providers and recom- of a product's identity was people with skill and enter- Registrar of the Commismended further action the reputation it had earned prise to produce and mar- sion reporting compliance five local courier service local courier service provid- them. providers for violating sec- ers: Rs. 5,00,000/- on Mr. DHL Pakistan (Pvt.) Lim- against them. The CCP for quality and value. In a ket goods and services in with the Order within 15 tion 10 of the Competition Uzair; Rs. 1,000,000/- on Mr. ited had lodged a complaint Bench after hearing the par- larger sense, trademarks fair conditions, thereby fa- days, failing which they Act, 2010 that deals with Asif Iqbal; Rs. 1,000,000/- on with CCP that seven courier ties at length and analyzing promoted initiative and en- cilitating international trade. shall be made further lideceptive marketing prac- Mr. Malik M. Pervaiz; Rs. providers were using its the documents placed on terprise worldwide by re- The CCP bench repri- able under Section 38 of 1,000,000/- on Mr. Nauman trademark without authoriza- the record concluded that warding the owners of manded the respondents to the Competition Act to tices. A CCP Bench compris- Anwer Butt; and Rs. tion, which is misleading the alleged conduct of the trademarks with recognition ensure responsible behav- pay an additional penalty g of Chairperson Ms. 1,000,000/- on Raja Asir and false and in violation of Respondents was aimed at and financial profit. Trade- ior in future with respect to amounting to Rs. 500,000/ Rahat Kaunain Hassan and Munir. Two respondents, Mr. the Section 10 of the Com- capitalizing on the goodwill mark protection also hin- the marketing of their busi- - per day from the date of Members Mr. Mueen Batlay Rehan and ICS Courier, were petition Act, 2010 (Competi- attached to DHL trademark. dered the efforts of unfair ness and directed them to such violation.



Page # B3

03 Jan 2013

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 Igbal, 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

5

i

1

î

6

6

ĺ

1

h

ŀ

TRIBUNE

Page # 10 03 Jan 2013

Deceptive marketing CCP slaps fine on courier service providers

Action taken following complaint from DHL Pakistan

OUR CORRESPONDENT

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.

^{f1C} A CCP bench passed an order ^{h2} after hearing the parties in a complaint filed by DHL ^{f2} Pakistan (Private) Limited.

CCP took a lenient view and b did not slap penalty on two of the respondents, who were forthcoming and discontinued using the DHL trademark dur-

In the complaint, DHL had said seven courier service providers 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.





Page # 14 03 Jan 2013

يا في مقامى كورير كمينيوں كوفريباند م ركيفتك ير 45 لا كارو ي جرماند لا بوراسلام آباد (كامرس ريوروز خرنگار خصوص) سابقتي سيش نے پانچ مقامي كوريز كمپنيوں كوفرياند ماركينى كرف پر 145 كھ روپ جرماند مائد كرديا راحت كونين معين باللے اورداكتر شهزاد دغفر پر شتل سي نے ڈی ایکھ ایل پاکستان کی شکایت پرکہ مقامی کوریز کمپذیاں ڈی ایکھا کو کو استعمال کرنے لوگوں کو ا پن طرف راغب كرتى بي حالانكه الح ساتھ مينى كاكوئى معائدہ نہیں پر ساعت کی کمیش نے آصف اقبال ، ملک يرويز، نعمان انورب اورراجه عار منير يردى دى لاكه روي جبك عزير پر پانچ لا كدوب جرماند عائد كيا-