

Date: 28-July-2024

News Coverage of Press Release

“CAT Upholds CCP’s Penalty on Trademark Dispute”

Trademark case

CAT dismisses appeal filed by Baba Plastic

RECORDER REPORT

ISLAMABAD: The Competition Appellate Tribunal (CAT) has dismissed the appeal filed by M/s Baba Plastic against the Competition Commission of Pakistan's order concerning fraudulent use of M/s ShajarPak (Pvt) Limited's registered trademark.

ShajarPak, a fabric manufacturer, filed a complaint with the CCP alleging that eight companies, including M/s Baba Plastic, were fraudulently using its trademark 'Pasha Fabrics' on their products' packaging and labelling.

Following an inquiry, the CCP confirmed that ShajarPak had not authorized any company to use its trademark. By copying the trademark and trade dress, these companies were deceiving consumers, which was capable of harming ShajarPak's business interests, in violation of Section 10 of the Competition Act, 2010. Consequently, the CCP issued a Show Cause Notice and, after having heard the parties, imposed a penalty of PKR 750,000 on Baba Plastic.

Baba Plastic appealed the CCP's decision before the CAT. However, due to their repeated failure to appear at scheduled hearings, the Tribunal dismissed the appeal for non-prosecution.

CAT upholds CCP's penalty on trademark dispute

ISLAMABAD (Staff Reporter): The Competition Appellate Tribunal (CAT) has dismissed the appeal filed by M/s Baba Plastic against the Competition Commission of Pakistan's (CCP) order concerning fraudulent use of M/s ShajarPak (Pvt) Limited's registered trademark. ShajarPak, a fabric manufacturer, filed a complaint with the CCP alleging that eight companies, including M/s Baba Plastic, were fraudulently using its trademark 'Pasha Fabrics' on their products' packaging and labelling. Following an inquiry, the CCP confirmed that ShajarPak had not authorized any company to use its trademark. By copying the trademark and trade dress, these companies were deceiving consumers, which was capable of harming ShajarPak's business interests, in violation of Section 10 of the Competition Act, 2010. Consequently, the CCP issued a show cause notice and, after having heard the parties, imposed a penalty of PKR 750,000 on Baba Plastic. Baba Plastic appealed the CCP's decision before the CAT. However, due to their repeated failure to appear at scheduled hearings, the Tribunal dismissed the appeal for non-prosecution.

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F.P. Report

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28-July-2024

Business Page

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 **Commerce Desk**

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CAT upholds CCP's penalty on trademark dispute

By **Web Desk** - July 28, 2024

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<https://leadpakistan.com.pk/news/cat-upholds-ccps-penalty-on-trademark-dispute/>

28-July-2024

Online

Competition Tribunal Upholds CCP Penalty in Trademark Dispute

By ProPK Staff | Published Jul 28, 2024 | 12:31 pm



The Competition Appellate Tribunal (CAT) has dismissed the appeal filed by M/s Baba Plastic against the Competition Commission of Pakistan's (CCP) order concerning the fraudulent use of M/s ShajarPak (Pvt) Limited's registered trademark.

ShajarPak, a fabric manufacturer, filed a complaint with the CCP alleging that eight companies, including M/s Baba Plastic, were fraudulently using its trademark 'Pasha Fabrics' on their products' packaging and labeling.

Following an inquiry, the CCP confirmed that ShajarPak had not authorized any company to use its trademark. By copying the trademark and trade dress, these companies were deceiving consumers, which was capable of harming ShajarPak's business interests, in violation of Section 10 of the Competition Act, 2010. Consequently, the CCP issued a Show Cause Notice and, after having heard the parties, imposed a penalty of PKR 750,000 on Baba Plastic.

Baba Plastic appealed the CCP's decision before the CAT. However, due to their repeated failure to appear at scheduled hearings, the Tribunal dismissed the appeal for non-prosecution.

<https://propakistani.pk/2024/07/28/competition-tribunal-upholds-ccp-penalty-in-trademark-dispute/>

28-July-2024

Online

The Competition Appellate Tribunal has dismissed Baba Plastic appeal

Competition Commission confirmed that ShajarPak had not authorized any company to use its trademark.

ON: JULY 27, 2024 / IN: COMMERCE AND INDUSTRY / TAGGED: BABA PLASTIC APPEAL, COMPETITION TRIBUNAL, FABRIC MANUFACTURER, SHAJARPAK (PVT) LIMITED



CAT Upholds CCP's Penalty on Trademark Dispute

ISLAMABAD (WEB NEWS)

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Baba Plastic appealed the CCP's decision before the CAT. However, due to their repeated failure to appear at scheduled hearings, the Tribunal dismissed the appeal for non-prosecution.

<https://www.telecoalert.com/2024/07/27/the-competition-appellate-tribunal-has-dismissed-baba-plastic-appeal/>



28-July-2024

Online

CAT dismisses Baba Plastic's appeal in ShajarPak trademark case

July 29, 2024 (MLN): The Competition Appellate Tribunal (CAT) has dismissed the appeal filed by Baba Plastic against the Competition Commission of Pakistan's (CCP) order concerning fraudulent use of ShajarPak (Pvt) Limited's registered trademark.

ShajarPak, a fabric manufacturer, filed a complaint with the CCP alleging that eight companies, including Baba Plastic, were falsely using its trademark 'Pasha Fabrics' on their products' packaging and labeling.

Following an inquiry, the CCP confirmed that ShajarPak had not authorized any company to use its trademark.

By copying the trademark and trade dress, these companies were deceiving consumers and harming ShajarPak's business, in violation of Section 10 of the Competition Act, 2010.

Consequently, the CCP issued a Show Cause Notice and imposed a penalty of Rs750,000 on Baba Plastic.

Baba Plastic appealed the CCP's decision to the CAT. However, due to their repeated failure to appear at scheduled hearings, the Tribunal dismissed the appeal for non-prosecution.

<https://mettisglobal.news/cat-dismisses-baba-plastics-appeal-in-shajarpak-trademark-case/>

کمپنیشن اپیلٹ ٹریبونل: بابا
پلاسٹک کی ساڑھے 7 لاکھ روپے
جرمانہ کیخلاف اپیل خارج

اسلام آباد (ارشاد انصاری سے) کمپنیشن
اپیلٹ ٹریبونل نے بابا پلاسٹک کی طرف سے
شجر پاک پرائیویٹ لمیٹڈ (باقی صفحہ 5 نمبر 29)

29 اپیل خارج

کے رجسٹرڈ ٹریڈ مارک کے جعلی استعمال سے متعلق
کمپنیشن کمیشن آف پاکستان (سی سی پی) کے
آرڈر کے خلاف دائر کی گئی اپیل کو مسترد کر دیا۔ سی سی
پی کے مطابق شجر پاک جو کہ ایک فیبرک مینوفیکچرر
ہے نے سی سی پی کو شکایت درج کرائی کہ بابا پلاسٹک
سمیت آٹھ کمپنیاں اس کا ٹریڈ مارک 'پاشا فیبرکس'
اپنی مصنوعات کی پیکیجنگ اور لیبلنگ پر دھوکہ دہی
سے استعمال کر رہی ہیں۔ سی سی پی نے اس معاملے
پر شوکانوٹس جاری کیا اور پارٹیز کا موقف سننے کے
بعد بابا پلاسٹک پر ساڑھے سات لاکھ روپے جرمانہ
عائد کیا ہے بابا پلاسٹک نے سی سی پی کے فیصلے کے
خلاف کمپنیشن اپیلٹ ٹریبونل کے سامنے اپیل کی۔
تاہم مقررہ سماعتوں میں ان کی بار بار غیر حاضری کی
وجہ سے، ٹریبونل نے اپیل کو خارج کرتے ہوئے سی
سی پی کا فیصلہ برقرار رکھا ہے۔

ٹریڈ مارک تنازعہ پر سی سی پی کا جرمانہ برقرار

کمپنیشن اپیلٹ ٹریبیونل نے سی سی پی آرڈر کیخلاف اپیل مسترد کر دی

نہیں دی تھی۔ ٹریڈ مارک اور ٹریڈ ڈریس کی نقل کر کے یہ کمپنیاں کمپنیشن ایکٹ 2010 کے سیکشن 10 کی خلاف ورزی کرتے ہوئے صارفین کو دھوکہ دے رہی تھیں اور شجر پاک کے کاروباری مفادات کو نقصان پہنچا رہی تھیں۔ سی سی پی نے اس معاملے پر شوکاژ نوٹس جاری کیا اور پارٹیز کا موقف سننے کے بعد بابا پلاسٹک پر ساڑھے سات لاکھ روپے جرمانہ عائد کیا۔ بابا پلاسٹک نے سی سی پی کے فیصلے کے خلاف کمپنیشن اپیلٹ ٹریبیونل کے سامنے اپیل کی۔ تاہم، مقررہ سماعتوں میں ان کی بار بار غیر حاضری کی وجہ سے، ٹریبیونل نے اپیل کو خارج کرتے ہوئے سی سی پی کا فیصلہ برقرار رکھا۔

اسلام آباد (کرائم رپورٹر) کمپنیشن اپیلٹ ٹریبیونل نے بابا پلاسٹک کی طرف سے شجر پاک (پرائیویٹ) لمیٹڈ کے رجسٹرڈ ٹریڈ مارک کے جعلی استعمال سے متعلق کمپنیشن کمیشن آف پاکستان (سی سی پی) کے آرڈر کے خلاف دائر کی گئی اپیل کو مسترد کر دیا ہے۔ شجر پاک جو کہ ایک فیبرک مینوفیکچرر ہے نے سی سی پی کو شکایت درج کرائی کہ بابا پلاسٹک سمیت آٹھ کمپنیاں اس کا ٹریڈ مارک 'پاشا فیبرکس' اپنی مصنوعات کی پیکیجنگ اور لیبلنگ پر دھوکہ دہی سے استعمال کر رہی ہیں۔ سی سی پی انکوآری سے ظاہر ہوا کہ شجر پاک نے کسی کمپنی کو اپنا ٹریڈ مارک استعمال کرنے کی اجازت

کمپنیشن کمیشن کے آرڈر کے خلاف دائر اپیل مسترد

اپیلٹ ٹریبونل نے شجر پاک ٹریڈ مارک تنازعہ پر سی سی پی کے جرمانے کو برقرار رکھا

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