



## Delhi HC Stays Release of Film Named 'AJINOMOTO'

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Team Anand And Anand comprising [Pravin Anand](#), [Dhruv Anand](#), [Madhu Rewari](#), [Udita Patro](#), Swati Jain, Sampurnaa Sanyal and Nimrat Singh secure ex-parte injunction in favour of its client Ajinomoto Co., Inc. against infringement of mark 'Ajinomoto' being used as the title of a film. The Delhi High Court has restrained Defendants Dattatrey Studios from releasing their movie named 'Ajinomoto'. The filmmaker had been using it as an oblique reference which was disparaging.



Satyendra Wankhade · 

The Delhi High Court recently temporarily restrained the release of a Tamil film under the title 'Ajinomoto' after Japanese Monosodium Glutamate (MSG) manufacturer, Ajinomoto filed a trademark infringement suit. [*Ajinomoto Co Inc v. Dattatreya Studios & Anr*]

Justice **Sanjeev Narula** held that the plaintiff had made out a *prima facie* case in its favour and would suffer irreparable loss if an *ex-parte* injunction was not granted.

"Plaintiff has made out a prima facie case in their favour; balance of convenience also lies in favour of the Plaintiff and against the Defendants; in case an ex-parte injunction is not granted, Plaintiff shall suffer irreparable loss," the Court said.

The suit by Ajinomoto Inc sought a permanent injunction restraining infringement of its registered trademark 'AJI-NO-MOTO', passing off and unfair competition.

Counsel for the plaintiff contended that the use of the title by the defendant not only infringes the plaintiff's trademark rights, but is also disparaging and defaming as the film's director, Mathiraj Iyampuram, made false public statements in relation to the plaintiff's mark in the context of the film.

In that light, he drew the Court's attention to an article in the magazine *Outlook* in which the director's statements were published. The publication read,

"Talking about the film, director Hiroyumaru says, 'Ajinomoto slowly became an enhancer. But it is in fact a kind of poison that kills humans slowly.' The story enhancer." He further spoke about the duality of the film's characters, "Certain situations in this film will make some of the characters appear in it look good one point. But just like how the ingredient can cause great danger unless these characters can indulge in actions that can cause difficult consequences."

It was argued that although the film has not been released and its content not known to the public, it is blatantly clear that the storyline, as per the director's statements, is conceived and fashioned metaphorically around *John and Roseanne*, which directly links to the plaintiff.

Hence, considering the wide outreach of films, and the manner in which the story line is conceived, any negative portrayal is bound to severely prejudice plaintiff's reputation in the market in respect of its products, it was s

It was further pointed out that the film had not yet been certified by Central Board of Film Certification (CBFC) and that the title of a film is always subject to change, in light of the decision of Supreme Court in *Shri Babuji Rawji Shah v. Hussain Zaidi & Ors.*

The Court, after holding that a *prima facie* case was made out by the plaintiff, restrained the defendants from releasing the film under the name 'Ajinomoto' any other deceptively similar name until the next date of hearing on December 12.

Senior Advocate **Sudhir Chandra**, along with Advocates Pravin Anand, Dhr Anand, Udit Patro, Swati Jain, Sampurna Sanyal and Nimrat Singh of Anand appeared for the plaintiff.



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From The Economic Times

**Delhi HC halts release of film 'Ajinomoto' on lawsuit by MSG manufacturer**

The Delhi High Court has put on hold the release of a Tamil film titled "Ajinomoto" following a lawsuit for trademark infringement by a manufacturer of monosodium glutamate seasoning in Japan.

"Ajinomoto" following a lawsuit for trademark infringement by a manufacturer of monosodium glutamate seasoning in Japan. Justice Sanjeev Narula, in a recent interim order, said "Ajinomoto" or any film bearing an identical or deceptively similar name shall not be released in any format, including cinema hall or OTT platforms.

the court said if an ex-parte injunction is not granted to Ajinomoto, it shall suffer irreparable loss.

Accordingly, till the next date of hearing, Defendants shall not release the film under the title "AJINOMOTO" or any film bearing an identical or deceptively similar title/ name in any format i.e., cinema hall release, DVD/VCD release, release through OTT platforms, etc. List before the Court on 14th December, 2022," the court ordered.



New Delhi [India], December 7 (ANI): The Delhi High Court has put a stay on the release of the film under the title "AJINOMOTO" or any film bearing an identical or deceptively similar title following a lawsuit for trademark infringement by a Japanese company.



Delhi HC halts release of film 'Ajinomoto' on lawsuit by MSG manufacturer

New Delhi, Dec 7 (PTI) The Delhi High Court has put on hold the release of a Tamil film titled "Ainonoto" following a lawsuit for trademark infringement by a manufacturer of monosodium glutamate seasoning in Japan.

The court said if an ex-parte injunction is not granted to Ajinomoto Co Inc, it shall suffer irreparable loss.

The court issued summons to Datastroy Studios and sought a written statement on the date of hearing. Defendants shall not release the film under the title "AJINOMOTO" or any film bearing an identical or deceptively similar title/ name in any format i.e., cinema hall release, DVD/VCD release, release through OTT platforms, etc. List before the Court on 12th December, 2022," the court ordered.

The plaintiff, represented by senior advocate Sudhir Chandra and lawyer Pravin Anand, said its grievance was in relation to an upcoming movie using its trademark 'Ajinomoto'. He argued that the title not only infringed its trademark rights, as the use was without authorisation, but was also disparaging and defamatory as the use was with false public statements in relation to the plaintiff's products.

The lawsuit said it was blatantly clear that the storyline of the film was conceived and fashioned metaphorically around the cooking ingredient which directly links to the plaintiff and any negative portrayal was bound to severely prejudice the plaintiff's restaurant's market in respect of its products.

The court was informed the word was coined by the plaintiff's predecessor, in a unique combination of words meaning "Essence of Japan" and "Seasoning". The name in the *Identi* was...

"Ajinomoto" is a Tamil language crime thriller written and directed by Mathiraj starring R S Karthik in the lead role. PTI ADS  
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*(This story has not been edited by THE WEEK and is auto-generated from PTI)*

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## KEY CONTACTS



### **Pravin Anand**

Managing Partner

[View Bio of Pravin Anand](#)



### **Madhu Rewari**

Partner

[View Bio of Madhu Rewari](#)



### **Dhruv Anand**

Partner

[View Bio of Dhruv Anand](#)



### **Udit Patro**

Partner

[View Bio of Udit Patro](#)