



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.



BarBench

Delhi High Court stays release of film titled 'Ajinomoto' after MSG manufacturer files trademark infringement suit

The Court 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.



Delhi High Court Ajinomoto file

Satyendra Wadhwa

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

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 filmmakers not only infringes the plaintiff's trademark rights, but is also disparaging and defaming as the film's director, Mathjai Jampyarnatal, 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 Jampyarnatal says, 'Ajinomoto is a flavour enhancer. But it is in fact a kind of poison that kills humans slowly. The story 'Ajinomoto' has been conceived and crafted based on this concept of the food ingredients. He further spoke about the duality of the film's characters. 'Certain situations in this film will make some of the characters appear in a look of one point. But just like how the ingredients can cause great danger subsequent to 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 a cooking ingredient, 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 impact the plaintiff's reputation in the market in respect of its products, it was argued.

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 Rajaji Bajaj Shah v. S 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' or any other deceptively similar name until the next date of hearing on December 12.

Senior Advocate **Sudhin Chandra**, along with Advocates Pravin Anand, Dhruv Anand, Utkar Patel, Swati Jain, Sampurna Sanyal and Nimrat Singh of Anand and Anand appeared for the plaintiff.

Live Law

Delhi High Court Halts Release Of 'AJINOMOTO' Film After Japanese Seasoning Manufacturer Alleges Trademark Infringement



The Delhi High Court has halted release of a Tamil film named 'Ajinomoto' after a Japan based seasoning manufacturer alleged trademark infringement of its registered trademark 'AJINO-MOTO', used for manufacturing Monosodium Glutamate, commonly used as a taste enhancer in food.

Justice Sanjeev Narula restrained Dutatrey Studios and Director Mathjai Jampyarnatal from releasing the movie under the title 'AJINOMOTO' or any film bearing an identical or similar name in any format i.e., cinema hall release, DVD/VCD release, release through OTT platforms, etc. The court ordered that the plaintiff shall suffer irreparable loss if an ex-parte injunction is not granted.

"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 name in any format i.e., cinema hall release, DVD/VCD release, release through OTT platforms, etc. The court ordered that the plaintiff shall suffer irreparable loss if an ex-parte injunction is not granted."

The court said 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.

Legalworld

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

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The court said if an ex-parte injunction is not granted to Ajinomoto Co Inc, 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 12th December, 2022," the court ordered.

ThePrint

Delhi High Court stays release of a film named 'Ajinomoto'



New Delhi, Dec 7 (PTI) 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.

The court said it was in an order passed on November 28, 2022, that it will for now stay 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.

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The court issued notices to Dutatrey Studios and another defendant and asked them to file a written statement to the justice.

The plaintiff, represented by senior advocate Sudhin Chandra and lawyer Pravin Anand, said its grievance was in relation to an ongoing movie using its trademark 'Ajinomoto'. He argued that the title not only infringed its trademark rights on the use was without false public statements in relation to the mark in the context of the film.

The lawsuit said it was blatantly clear that the storyline of the film was conceived and any negative portrayal was bound to severely prejudice the plaintiff's reputation in the market in respect of its product.

The plaintiff company said it was the largest seasoning manufacturer in Japan, which adopted and registered the trademark 'Ajinomoto' for monosodium glutamate (MSG) and used the word in combination of words meaning 'Essence of Taste' in Japanese and it is a household name in the Indian market.


The court was informed the word was coined by the plaintiff's predecessor in title as 'Ajinomoto' is a Tamil language crime thriller written and directed by Mathjai Jampyarnatal & Ors.

(This story has not been edited by THE WEEK and is auto-generated from PTI.)

DT NEXT

Delhi HC puts Tamil film Ajinomoto on hold

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Delhi High Court Ajinomoto file

Dt Next Bureau

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THE WEEK

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

PTI | Updated on: 07 Dec 2022, 08:19 AM

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