

FIRST INFORMATION REPORT

4191

First Information of a cognizable crime reported under section 154 Cr. P.C. at P.S.

1. District Alipurduar Sub-Divn. Madanhat Year 2022 FIR No. 139/22 Date 18.08.22
2. i) Act IPC Sections 420 ii) Act Trade Mark Act 1989 Sections R/w Sec 104
3. a) General Diary Reference Entry No. 653 Time 20:05 hrs
- b) Occurrence of Offence : Day Thursday Date 18.08.22 Time 20:05 hr
- c) Information of Offence : Day Thursday Date 18.08.22 Time 20:05 hr
- G.D. No. 653 at the Police Station.
4. Type of information : Written / Oral
5. Place of Occurrence : a) Direction and Distance from P.S. West 12 K.M
- b) Address : Sishubari Bazaar, P.S. Madanhat, Dist. Alipurduar
- Beat No.
- c) In case outside limit of this Police Station, then the name of P.S. District
6. Complaint / Information :
- a) Name Krishnendu Sengupta
- b) Father's / Husband's Name S/o H. Piyush Sengupta
- c) Date / Year of Birth
- d) Nationality Indian
- e) Address Ramkrishna Sarada Road, P.O. Natagrah, P.S. Ghola, Dist. North 24 Parganas
7. Details of Know / suspected / unknown / accused with full particulars : Prop of Samrat Sea Business Private Ltd. having office at I.S. No 283, Near - Railway Station at Santalpur, Patan, Gujarat - 385360
- (attach separate sheets, if necessary)
8. Reasons for delay in reporting by the Complainant / informant
9. Particulars of properties stolen / involved : (Attach separate sheets, if required)
- 200 Bags of Salt containing 25 packets in each Bag.
10. Total value of properties stolen / involved
11. Inquest report / U.D. Case No. if any
12. FIR contents : (Attach separate sheets, if required) The original written Complaint of the Complainant which is treated as F.I.R
13. Action taken : Since the above report reveals commission of offence(s) u/s is enclosed here with

Officer-in-charge

MADANHAT POLICE STATION

P.O. Madanhat Dist. Alipurduar

registered the case and took up investigation / directed SI Dilip Barman

to take up the investigation / transferred

to P.S. on point of Jurisdiction FIR read over to the Complainant / informant

admitted to be correctly recorded and a copy given to the Complainant / informant free of cost.

Officer-in-charge

Signature of the Officer-in-Charge, Police Station

Name Gourab BarmanRank SI of Police, of Madanhat P.S.Number, if any SI Alipurduar

Dt 18/08/22

Signature / Thumb Impression of
the Complainant / informant is taken
in Original Complaint.



INVESTIGATION & SECURITY (P) Ltd.

Registered Office : "Kamala Kunj", Grnd Flr
129A Manoharpukur Road,
Kolkata - 700026
Ph. 033 2466 5552
Office : Laxmi Nagar
New Delhi - 110 092
Email : admin@anusandhangroup.com
Website : www.anusandhangroup.com
CIN No. : 1U7499WB2012PTC183767

To,
The Officer-in-Charge,
Madarihat Police Station,
District Alipurduar,
West Bengal, India

18.08.2022

Sir,

I, Krishnendu Sengupta, S/o Late Pijush Kanti Sengupta of Ramkrishna Sarada Road, P.O.Natagrah, P.S. Ghola, Dist. North 24 Pargana, West Bengal, India is an IPR Executive of Anusandhan Investigation and Security Private Limited, the company authorized by Tata Consumer products of the aforesaid companies, a subsidiary of Tata Group, am constructed and instructed to bring before you this complaint on the following grounds inter alia others-

1. That, our company is a leading brand in food and beverage industry, having earned considerable reputation and consequential goodwill in the market.
2. That, one of our staples and most widely used product is "TATA SALT" which has been circulated and marketed for over thirty years as on date.
3. That, our salt is an iodized salt and has remained true to every household throughout the nation, and has garnered formidable goodwill among the common consumers.
4. That, it has divulged to our knowledge that the proprietor of Samrat Sea Brines Private Limited having office at LS. No. 283, Near - Railway Station at SantalpurPatan, Gujrat - 385360, manufacturing salt in the name and style of "SUPER MAHEK SHAKTI SALT" and "TAZA SHAKTI SALT", which endeavours to pass off their product under the deceptive appearance of our "TATA SALT". This incident is clear indication of intention of selling goods and exposing the goods for sale, with false trademark and trade description.
5. That, in past as well, the proprietor of Samrat Sea Brines Private Limited attempted to pass off their product under the style of our company, being "SUPER MAHEK SHAKTI SALT" and "TAZA SHAKTI SALT", in which event they were defeated and had given declaration with such falsified brand.

Received on 18.08.22 at 20.05 hr
vide G.D.F No 653 dt 18.08.22 and started
Madarihat PS Case No 139/22 dt 18.08.22
u/s 420 IPC R/w Sec 104 Trade Mark
Act 1989.

Officer-in-Charge 18/08/22
MADARIHAT POLICE STATION
20 Madarihat Dt Alipurduar

6. That, we annually expend considerable funds towards the sales, promotion, publicity of the goods sold under the aegis of our brand "TATA SALT" including its trademarks and other property marks and keen vigil thereof- in course of which it has come to our knowledge that a good quantity "SUPER MAHEK SHAKTI SALT" and "TAZA SHAKTI SALT" is been distributed in various Markets under the jurisdiction of Madarihat Police Station, Dist. Alipurduar and are available with several wholesalers and retailers.
7. That, on receiving information over the said matter, today, I made an application for assistance in raid to seize the above stated bags and packets of salt of "SUPER MAHEK SHAKTI SALT" and "TAZA SHAKTI SALT" which have been lying in the various markets and shops under the jurisdiction of Madarihat Police Station and accordingly, the police personnel went to raid at Sishubari Market, P.S. Madarihat and held raid at a shop/store of Shibnath Basak and seized 200 bags of salt containing 25 packets of "SUPER MAHEK SHAKTI SALT" of each bags and each salt packet weighs 1 kg i.e. in total 5000 kgs of salts.
8. That, it is pertinent to mention here that there is other shops/stores in Madarihat Bazar area, under Madarihat P.S. where also bags and packets of salt of "SUPER MAHEK SHAKTI SALT" and "TAZA SHAKTI SALT" have been stored and in this regard your concern is requested to take necessary steps.
9. That, Samrat Sea Brines Private Limited is attempting to sell and circulate the "SUPER MAHEK SHAKTI SALT" and "TAZA SHAKTI SALT" which appears to be identical and deceptively similar to the registered trademark in respect of packaging and colour combination of our product "TATA SALT". These products tend to ride on the hard-earned goodwill of our brand and directly impact our social and commercial image and reputation. Furthermore, these products are not authenticated by any proper authority verifying the quality and purity of the same, and it may lead to health hazards and may pose a great threat to the public health at large.
10. That, the falsified product intends to cause great mischief on our goodwill and reputation, and likely to interfere with the health and safety of the general public.
11. That, the falsified product may also be adulterated and noxious for consumption, and since it tends to pass off under the colour of our trademark we are directly in harm's way against such patently violated act on part of the accused persons.
12. That, the patent deceptive similarity of appearance in the packaging of these deceptively similar products to that of ours, is an act of counterfeiting our trademark.
13. That, these deceptively similar products if allowed to be marketed or circulated or sold in the course of commerce will not only be a cheating upon our brand as well as the general public.

Therefore, it is requested to investigate into the matter and to take necessary legal action against the accused persons under the proper acts of law and seize the said salt packets, so that these deceptively similar products cannot be circulated or sold to the public in general.

Sincerely,

Krishnendu Sengupta

Krishnendu Sengupta

[IPR Executive of AISPL]

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Enclosures:

1. Copy of Authority Letter issued by Tata Consumer Products Limited to Anusandhan Investigation and Security Pvt Ltd
2. Copy of Authority Letter issued to Krishnendu Sengupta by Anusandhan Investigation and Security Pvt Ltd
3. Compared images of TATA SALT and deceptively similar product
4. Copy of Trademark Certificate of TATA SALT class 30
5. Copyright Certificate of Tata Salt
6. Copy of the declaration made by Samrat Sea Brines Pvt Ltd