

FIRST INFORMATION REPORT

3845

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

1. District Airpur Sub-Divn ... P.S. Falukata Year 2022 FIR No. 443/22 Date 27.07.22
2. i) Act APC u/s Sections 420/272/273 ii) Act R/W Sections 104 Trade Mark
- iii) Act ... Sections ... iv) Other Acts & Sections ...
3. a) General Diary Reference Entry No. 1203 Time at 14.55 hrs.
- b) Occurrence of Offence : Day ... Date ... Time ...
- (c) Information of Offence : Day ... Date 27.07.22 Time at 14.55 hrs.
- G.D. No. 1203 at the Police Station.
4. Type of information : Written / Oral
5. Place of Occurrence : (a) Direction and Distance from P.S. Approx. 2.5 km S/N from PS
- (b) Address Falukata Railway Stn. More, PS F-W/APD
- Beat No. ...
- (c) In case outside limit of this Police Station, then the name of P.S. ... District ...
6. Complaint / Information :
- (a) Name Gourab Bhaduri
- (b) Father's/Husband's Name ...
- (c) Date/Year of Birth ...
- (d) Nationality ...
- (c) Address of Tata Consumer Products Limited.
7. Details of Know/suspected/unknown/accused with full particulars : 1. Prop. of Samrat Sea Breeze Pvt. Ltd. office LS No. 283, Near-Railway stn. at Santalpur Patan, Gujrat
- (attach separate sheets, if necessary) 38.5360 & 2. Mr. Om Prakash Agarwal, Prop. of Shanti & Co., having office at Khulpura, Agrasen Road, Dist. Bargarh, Odisha, N.B. - 754005, arrested
8. Reasons for delay in reporting by the Complainant/informant ...
9. Particulars of properties stolen/involved : (Attach separate sheets, if required) ing to sell & circulate the fake & false branded salt under the trademark of "TATA SALT"
10. Total value of properties stolen/involved 1500 (One Thousand Five Hundred) metric Ton of salt
11. Inquest report/U.D. Case No. if any ...
12. FIR contents : (Attach separate sheets, if required) the original written complaint of the complt. which is treated as
13. Action taken : Since the above report reveals commission of offence(s) u/s FIR is enclosed herewith

registered the case and took up investigation/directed Sg Niren Roy.

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.

SP No. 7526/22

Signature / Thumb Impression of the Complainant/informant is taken in the original complt.

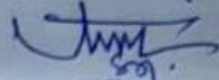
Signature of the Officer-in-Charge, Police Station

Name Ananta Kumar Majumdar

Rank Sg of Police, F-W PS/APD

Number, if any ...

Recd. on 27-07-22 at 14:55
- Mrs. vide ODE NO. 1203 &
started Fkt PS Case No. 448/22
dt. 27-07-22 Ws 420/272/273
2pc n/n sec 104 Trademark Act


27-07-22

Date: 27/7/2022
Inspector in Charge
Falakata Police Station
Falakata

To
The Officer- In- Charge
Falakata Police Station
Falakata.

Sir,

I, the undersigned, am the resolute representative of Tata Consumer Products Limited, 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 staple 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 accused person is proprietor of Samrat Sea Brines Private Limited having office at LS. No. 283, Near - Railway

Station at Santalpur Patan, Gujrat- 385360, manufacturing salt in the name and style of "SUPER MAHEK 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, accused person no. 2 had attempted to pass off their product under the style of our company, being "TAZA SHAKTI SALT", in which event they were defeated and had given a declaration to discontinue with such falsified brand.
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 keep vigil thereof- in course of which it has come to our knowledge that a load of about one thousand five hundred metric ton of salt as produced by the accused person no. 2 in the name and style of "SUPER MAHEK ,SHAKTI SALT" ('falsified product' hereinafter) comprised in over twenty wagons, to be unloaded at Falakata Junction, Alipurduar, West Bengal by way of railway rakes with active participation and connivance with accused person no. 1.
7. That, Samrat Sea Brines Private Limited, having its registered office at LS No. 283, Near Railway Station at

Santalpur Patan, Gujrat- 385360, in association with accused Mr. Om Prakash Agarwal, proprietor of Shanti &Co., having office at- Khalpara, Agrasen Road, District- Darjeeling, Siliguri, West Bengal- 734005 are attempting to sell and circulate the fake and false branded salt under the trademark of "TATA SALT". That the falsified product tends to ride on the hard-earned goodwill of our brand and directly impact our social and commercial image and reputation. Furthermore, the falsified product is 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.

8. 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.
9. 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 the harm's way against such patently violative act on part of the accused persons.
10. That, the patent deceptive similarity of appearance in the packaging of the falsified product to that of ours, is an act of counterfeiting our trademark.

11. That, falsified product 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 so that the salt under the false and fake trademark cannot be circulated or sold to the public in general.

Sincerely-

Gaurav Shrivastava

[SET OUT NAME,
DESIGNATION, ETC]

Enclosures:

- 1) Copy of resolution authorizing the signatory
- 2) Copy of the arrival schedule of the falsified product
- 3) Compared images of TATA SALT and the falsified product
- 4) Copy of Trademark certificate of TATA SALT dated January 15, 2018 in Class 99 [multi- class application]

