

Trade Mark Cases

including cases on Trade Marks, Trade Names and
Passing off

By
P. NARAYANAN, M.A., LL.B.

VOLUME I

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Preface

Trade mark law, as in the case of other intellectual property laws, like patents, designs and copyright, owes its development to the British genius. The basic principles of this law as expounded in various decisions of the English Courts form the foundation of trade mark law in all English speaking countries and also in various other countries. This is only to be expected in view of the universality of the nature of this branch of law. Although many countries have codified their law by their own statutes, in the interpretation of the statutes Courts often refer to the English decisions. This is particularly true of India and other Commonwealth countries.

The present book in two volumes contains an abridged version of practically all cases relating to trade marks, trade names, passing off and related subjects reported in the Reports of Patent, Design and Trade Mark Cases and other law journals published in the United Kingdom covering the period from 1803 to 1982. About 1290 cases are included in the two volumes. The cases are arranged chronologically and serially numbered. Each case contains the title, headnotes, a summary of the facts of the case and decision and extensive extracts, where necessary, from the judgment sufficient for understanding the *ratio decidendi* of the case and for citation. The book also contains a table of cases, a subject index and an alphabetically arranged index of trade marks and trade names relating to the cases.

English cases on trade mark law are quoted and relied upon by lawyers and judges in all the Commonwealth countries. The principles of law enunciated and expounded by English Courts are also applied in other countries. In many countries even the statute law relating to trade marks is based on the English model.

The full texts of the cases on trade marks are spread in various reports running over more than a hundred volumes. It is hoped that a collection of such cases, although abridged, in two handy volumes will be extremely useful to both the specialists and the general practitioners.

The author wishes to express his gratitude to the Controller of Her Majesty's Stationery Office, Norwich, U.K., and the Patent Office, London for permission to reproduce extracts from the Reports of Patent, Design and Trade Mark Cases.

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3rd June 1985
Ahmedabad

P. NARAYANAN

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