Commercial High Court issues enjoining order in brand protection dispute

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AI Summary

The Commercial High Court of the Western Province, Colombo, presided over by Viraj Ranatunge, H.C.J., issued an enjoining order on 13 October 2026 against Fumax Marketing Ltd., in proceedings instituted by Deen Brothers Imports Ltd., concerning the alleged use of confusingly similar product packaging and branding.

The Plaintiff submitted that its brand has established substantial goodwill and reputation in the Sri Lankan market and benefits from intellectual property protection. It alleged that the Defendant's products imitated its distinctive packaging and trade dress, potentially misleading consumers and constituting unfair competition and passing off.

The Plaintiff was represented by Manoj Bandara, Attorney-at-Law, together with Jessica Abeyratne and Sapna Liyanage, Attorneys-at-Law, instructed by Sudath Perera Associates.

Having considered the Plaintiff's submissions, the Court ordered the issuance of enjoining orders restraining the Defendant from distributing products bearing the impugned packaging and from using confusingly similar trade dress, packaging and labels.

The matter was fixed for 27 October 2026 for the return of notice and summons.

COMMENTS

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