

**GOVERNMENT OF INDIA
MICRO, SMALL AND MEDIUM ENTERPRISES
LOK SABHA**

UNSTARRED QUESTION NO:1898
ANSWERED ON:09.03.2015
USE OF KHADI TRADEMARK
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Will the Minister of MICRO, SMALL AND MEDIUM ENTERPRISES be pleased to state:

- (a) whether a German company is using khadi trademark for selling a range of Indian origin products in European Markets;
- (b) if so, whether the Indian Government and the Khadi and Village Industries Commission have taken up the matter with the concerned authorities for cancellation of the trademark given to the company; and
- (c) if so, the details and the outcome thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES (SHRI GIRIRAJ SINGH)

(a)to(c): KVIC is directly not exporting Khadi products to countries abroad. However, merchant exporters and traders are exporting Khadi products. In view of the brand 'Khadi' being registered by German company (M/s. Khadi NatureprodukteGbR) as a Trade Mark with the Office for Harmonisation in the Internal Market (OHIM, Spain) in the EU region thereby granting it exclusive rights for use of the term 'Khadi' in EU, the traders and merchant exporters are not able to market Khadi products under khadi brand. This issue has been brought to the notice of the government by the Indian Embassies in Germany, Poland, Belgium, Luxembourg and European Union as also some persons of Indian origin who are in the business of marketing of Khadi products. Indian Embassies abroad have been in touch with the authorities of European Union for cancellation of the registration of Khadi as a Trade Mark and the only available means to cancel the registration is through a request for a declaration of invalidity or of revocation to be filed at the Office of the Community Trade Mark Regulation (CTMR). KVIC, Mumbai had authorized M/s. Swati Gramudyog Sewa Sansthan, Kanpur to file the request for deregistering the Trade Mark along with the requisite fees, which has been filed. KVIC has engaged M/s Anand&Anand, a leading IPR firm for representing KVIC directly for de-registering of the Trademarks. The Government of India, KVIC and the Embassies of India abroad are working in tandem to expedite the process of de-registering the Trade Mark of 'Khadi'.

The process to register for International Trademark for 'Khadi' for IPR rights under the World Intellectual Property Organization's Madrid Protocol, are of two stages, first at National level and subsequently at International level.

KVIC has filed an application to register 'Khadi' as a word mark under IPR Authority in Mumbai. This mark has been filled for 27 classes under IPR Act covering various products relevant to KVIC comprising of khadi fabrics and village industries. Online registration of 'Khadi' as a 'Word mark' has already been done & application for International IPR under Madrid Protocol has been filed for USA, European Union, Russia & China.

KVIC has registered 6 different Trademarks for khadi and village industries products including the Trademark 'Khadi' for some specified products under respective classes under IPR. KVIC has also registered the Trademarks namely 'Sarvodaya', 'Kutir', 'DesiAhaar', 'Khadi India' and 'Khadi Bharat'. Similary the trade name 'Khadi India' has also been filed for registering under 27 classes in line with 'Khadi'.

KVIC has paid enhanced fees to expedite the process.