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The **Bombay High Court** in the case of **Integrace Private Limited vs Mas Pharmachem [Commercial IP Suit No. 238 of 2015]** dated **June 15, 2026**, has held that in matters concerning medicinal and pharmaceutical products, stricter standards apply because even the slightest possibility of confusion is required to be restrained in public interest. Where the Plaintiff proves subsisting proprietary rights in a registered mark, prior adoption and use, goodwill and reputation, and the impugned mark entirely subsumes the Plaintiff's registered mark as its essential and leading feature in relation to identical medicinal and pharmaceutical goods, the Court may hold that the rival marks are deceptively similar and that the Defendants' adoption is dishonest, mala fide, and likely to cause confusion, deception, and misrepresentation.

The Court observed that the Plaintiff had sufficiently proved its subsisting rights in the trade mark "BON K2" through the registration documents, legal proceedings certificates, the Deed of Assignment, and the evidence of the Plaintiff's witness. It also found that the Plaintiff had established use of the mark since 2010, as well as goodwill and reputation, through annual turnover and publicity expenditure material. On comparison of the rival marks, the Court observed that they were "virtually identical" and that the Defendants' impugned mark "BON K2 FORTE" had "entirely subsumed" the Plaintiff's registered trade mark "BON-K2". It further observed that the Defendants had used the exact same mark as the leading and essential feature of the impugned mark, and that the adoption was "plainly dishonest, malafide and with a clear intent to deceive."

Since the rival goods were medicinal products, the Court noted that the Defendants' use was more than likely to cause confusion, deception, and misrepresentation amongst consumers and members of the trade, and that a stricter approach applied because confusion in medicinal products may threaten public interest.

Thus, the Court granted perpetual injunctions restraining Mas Pharmachem (the Defendants) from using "BON K2 FORTE" or any deceptively similar mark in relation to medicinal and/or pharmaceutical preparations so as to infringe Integrace Private Limited (the Plaintiff's) registered trade mark or pass off the Defendants' goods as those of the Plaintiff, and directed delivery up for destruction of products, packs, packaging materials, goods and things bearing the impugned trademark. The Court also directed that each of the Defendants shall pay costs of Rs. 1 lakh to the Plaintiff within 8 weeks, failing which interest at 8% would apply.