Another victory for Jägermeister in removing the infringing trademark "野格哈古雷斯" (pronounced as YE GE HA GU LE SI in Chinese) from the market

The Beijing High Court upheld the judgement of the Beijing IP Court, which recognised "Jägermeister" as a well-known trademark in Chinese and awarded 10 million RMB in damages to the Jägermeister trademark owner.

Mast-Jägermeister SE (MJSE), founded in Germany in 1878, whose best-known product is the herbal premium liqueur Jägermeister, which has been available in China since 2003. MJSE owns, among other things, the word and figurative marks "野格"

MJSE filed trademark infringement and unfair competition lawsuit in May, 2021 to Beijing IP Court against the defendants Qingdao St. Laura Spirit Co., Ltd. (Qingdao St. Laura), Chang Hongsheng and Anhui Puyuan Trading Co., Ltd. (Anhui Puyuan) for using similar trademarks "野格哈古雷斯" (pronounced as YE GE HA GU LE SI in Chinese) etc., and trade dress etc., infringing upon the trademarks "野格" (Jägermeister in Chinese),

etc. and the Jägermeister trade dress etc. owned by MJSE. The Beijing IP Court issued judgement (2021) Beijing 73 First Instance No. 468 in n November, 2022, recognizing "野格" (Jägermeister in Chinese) as a well-known trademark in China, awarding MJSE 5 Million RMB in compensatory damages and 5 Million RMB Yuan in punitive damages and ordering the defendants to cease the trademark infringement and unfair competition acts. The defendants filed appeals to the Beijing High Court.





Jägermeister Liqueur of MJSE

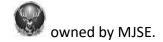
One of the Infringing Liqueur in Dispute



Infringing Liqueur in Dispute Offered for Sales on the Website of Qingdao St. Laura

MJSE was also granted justice by the Beijing High Court. The Beijing High Court has fully rejected the appeals of the defendants (Qingdao St. Laura, Chang Hongsheng and Anhui Puyuan Trading Co., Ltd.) and has upheld the judgment from the first instance The judgment of the Beijing High Court recognising the trademark 野格 as a well-known trademark and sentencing the defendants as follows is now final:

1. Stop the trademark infringement acts, in other words, stop using the trademarks such as 野格哈古雷斯, YEGE, YEGO HUNTER, Stag Head Logo, 野格狩猎者 and 野格守猎者 which are similar to the trademarks "野格" (Jägermeister in Chinese),



- 2. Stop the unfair competition acts, in other words, stop using the false representations, the similar trade dress , the company name Germany Yege Sheng Lu Group Co., Ltd. (德国野格圣鹿集团股份有限公司) etc.;
- 3. Qingdao St. Laura shall publish public apologies on China IP Newspaper and Qingdao Evening Newspaper. Chang Hongsheng shall publish public apologies on Qinghuangdao Evening Newspaper. Anhui Puyuan shall publish public apologies on its online shop. The costs of publishing the public apologies shall be paid by the defendants.
- 4. Qingdao St. Laura shall pay damages of RMB 10 million (RMB 5 million in compensatory damages and RMB 5 million in punitive damages) to MJSE. Chang Hongsheng shall pay 360,000 RMB out of the 10 million RMB to MJSE. Anhui Puyuan shall pay 100,000 RMB in damages to Mast-Jägermeister SE.

Nils Langemann, Director Intellectual Property & Risk Management of Mast-Jägermeister SE states that "the judgements s of the Beijing IP Court and the Beijing High Court in favour of Mast-Jägermeister SE are not only a milestone for our company, but also an encouraging signal for all brand owners struggling with counterfeiting and trademark infringement. These judgments underline the unwavering determination of the Chinese courts and authorities to protect intellectual property.

We thank the Chinese courts and authorities for defending these important rights, as well as our business partners and consumers for expressing their unwavering confidence in Mast-Jägermeister SE brands and their support in the fight against counterfeiters and infringers."

Beijing IP Court held a news conference on December 14, 2023, offering briefings on typical cases on combating bad faith trademark registration and use (https://www.chinacourt.org/chat/chat/2023/12/id/53186.shtml). The Jägermeister v.s. 野格哈古雷斯 (Ye Ge Ha Gu Lei Si) litigation has been listed by the Beijing IP Court as one of the Top 10 Typical Cases for the following features:

- 1. Multifaceted infringement acts causing more harms to the famous Jägermeister brand. The Jägermeister v.s. 野格哈古雷斯 (Ye Ge Ha Gu Lei Si) case involves registration and use of trademarks similar to the Jägermeister trademark, copying of the Jägermeister trade dress, tie-in sales of the infringing products with the genuine Jägermeister liqueur, and use of misleading slogans etc..
- 2. The court awarded punitive damages to better protect rights of the famous trademark and the interest of the consumers and foster fair competition.

https://www.chinacourt.org/chat/chat/2023/12/id/53186.shtml

