

Bodycare wins trademark infringement against businessman

On the evidence gathered by a private investigator, OTO Bodycare last week won a trademark infringement case against a businessman, after proving that the latter had sold foot massagers by riding on the established reputation of its trademark. The court ordered Mr Hiew Keat Ling as Blackgold Asia Pacific, to pay OTO Bodycare 50 per cent of legal costs. OTO Bodycare is an importer and distributor of health and body care products.

The product in question was OTO Bodycare's electrical foot reflexology machine called the Electro-Reflexologist, which was launched in 2002.

Mr Hiew, 26, had sold his product as HL Electro-Relaxologist, which was not only similar in design but had been advertised in flyers and catalogues as OTC Bodycare.

Private investigator Philip Tan from Commercial Investigations was engaged to gather information about Mr Hiew's prod-

uct in January last year.

Mr Tan and his fellow colleagues tracked him down to a stall in the atrium of Sim Lim Square based on the flyers Mr Hiew had distributed.

Said Mr Tan: "There were other entities which sold similar products but only the defendant's firm distributed flyers. We made sample purchases from the defendant and through covert recordings got the required evidence." — *Wong Fui Wan*