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Pink Lady America loses trademark appeal



Australian court upholds APAL's rights over Chilean-grown Pink Lady sales in North America

Apple and Pear Australia Ltd (APAL) has won its appeal against Pink Lady America regarding the supply of Chilean-grown apples traded under the Pink Lady brand name in North America.

The case centres on whether Pink Lady America, the brand's exclusive licensee in the US, was entitled to use the brand's trademarks on Chilean-grown apples sold in North America and elsewhere.

"The Court of Appeal has held and ordered that Pink Lady America has no right to use the Pink

Lady trademarks registered in Chile," said APAL's intellectual property manager Garry Langford.

"We are pleased that the judgment has confirmed APAL's rights in Chile relating to the trademarks as this will be of benefit to all growers in Chile who export under license from APAL."

The judgment confirms that APAL can continue to license the Pink Lady trademarks in Chile on Chilean-grown apples that meet Pink Lady brand quality standards. Pink Lady trademarks in Chile include a range of logos such as the Pink Lady flowing heart logo.

APAL defends the Pink Lady brand and its trademarks worldwide to help ensure that customers who choose Pink Lady apples get only the best quality fruit and not counterfeit or sub-standard fruit. It also provides revenue to support projects run for the benefit of Australian apple growers that APAL manages.

APAL owns and manages the Pink Lady brand in numerous territories worldwide.