



Brent and Harrow Trading Standards Service

WORKING IN PARTNERSHIP



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SIMPLE CAUTION

CASE REFERENCE: 21/11

OFFENDER'S NAME AND ADDRESS: Mr Sellathurai Prabakaran
238a High Road, Willesden NW10 2NX

DATE AND PLACE OF BIRTH: 09/03/73 Sri Lanka

DATE OF INFRINGEMENT: 11/2/11 and 30/3/11

PLACE OF INFRINGEMENT: High Road Food & Wine, 261 High Road, Willesden NW10 2RX

BRIEF CIRCUMSTANCES: On 11th February 2011, Trading Standards Officers inspected your business premises 'High Road Food and Wine', located at the above mentioned address. The Officers discovered in your possession for the purposes of supply, 10 counterfeit bottles of Smirnoff Red Vodka bearing signs identical to or likely to be mistaken for the registered trade mark of Diageo Plc.

Officers returned to the same address on 30th March 2011, where your employee did with a view to gain for yourself or another and without the consent of the trade mark owner, sold a counterfeit bottle of Jacobs Creek wine bearing a sign identical to or likely to be mistaken for the registered trade mark of, Pernod Ricard UK.

Officers then found in your possession for the purposes of supply, 5 bottles of counterfeit Jacobs Creek wine bearing signs identical to or likely to be mistaken for the registered trade mark of, Pernod Ricard UK.

The above circumstances constitute offences contrary to Sections 92(1)(b) and (c) of the Trade Marks Act 1994.

DECLARATION: I Sellathurai Prabakaran, declare and admit the infringements as described above and agree to accept, a caution in this case. This admission is based on the fact that between 11th February and 30th March 2011, at High Road Food and Wine, I had in my possession for the purposes of supply, 10 bottles of Smirnoff Red Vodka and 6 bottles of Jacobs Creek wine, one of which my employee sold, bearing signs identical to, or likely to be mistaken for registered trade marks contrary to Sections 92(1)(b) and (c) of the Trade Marks Act 1994. I understand that a record of this caution will be kept on file and may influence a decision to implement proceedings in the future. I further understand

Continued Overleaf:

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that this caution may be cited should I be subsequently found guilty of an offence by a court of law.

SIGNED: S. Legg

DATED: 25th July 11

SIGNED ON BEHALF OF BRENT AND HARROW
TRADING STANDARDS SERVICE: Simon Legg

NAME: Simon Legg

TITLE: Assistant Head of Trading Standards