

Legal Aspect

“Handloom Mark” logo is now registered under Trade Marks Act, 1999.

Enforcement Measures

- Periodic surveillance audit by team of officials.
- Random verification of Handloom Mark products will also be carried out by sample purchase from the market.
- Manufacturers while supplying the handloom products to the merchant exporters, retailers etc. will be required to enclose alongwith the other requisite commercial documents. a **self-certificate** that the product has been manufactured on handloom

Enforcement Measures contd....

Besides, there would be penalty clauses in the agreement entered between Textiles Committee and the Registered user for misuse of the Handloom Mark.

- The first clause cancels the registration of the users, after preliminary investigation; that would also lead to immediate stopping further supplies of labels.

Enforcement Measures contd....

- The second clause would attract action against persons/ entities as per the provisions given in Chapter XII of the Trade Marks Act, 1999 which includes imprisonment for a term which shall not be less than six months but which may extend to three years and with a fine which shall not be less than fifty thousand rupees but which may extend to two lakh rupees and enhanced penalty on second and consequent conviction etc.
- The third clause would attract action against persons/entities as per the provisions given in Chapter XIII of the Copyright Act, 1957. The nature of punishment is same as that of Trade Marks Act, 1999.

Consumer concern

Any consumer having any doubt about the authenticity of product labeled with Handloom Mark can approach the Textiles Committee along with the **copy of the bill and the code number**. Based on the findings, Textiles Committee will initiate action according to the agreement entered into with the users and as per the Trade Marks Act, 1999. The consumer may also exercise the option of approaching the Consumer Courts. **This will be given wide publicity through media.**