



Trademark Infringement Dispute

Metamin vs. Vetamin

Source: Intellectual Property and Commercial Court, Civil Judgment 111 Min-Shang-Su-Zi No. 30

The Parties Involved

The Plaintiff (Original)

Metamin

Metamin

- Trademark: Metamin
- Reg. No.: 01314403 & 01704415
- Application Years: 2007 & 2014
- Status: Prior Registration

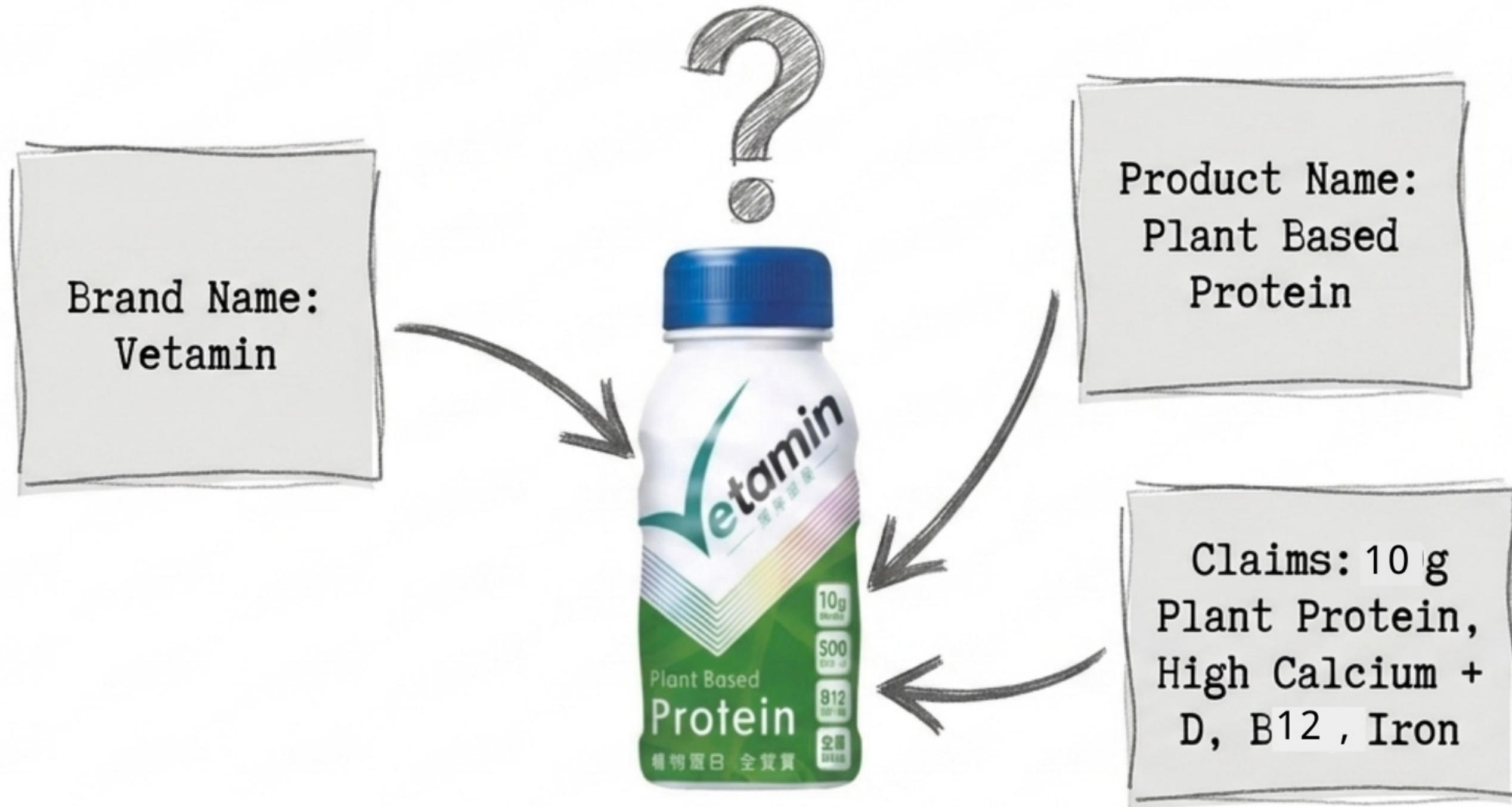
VS

The Defendant (Accused)

Vetamin

- Trademark: Vetamin
- Reg. No.: 02085869
- Status: Accused Infringers
(Yiguo Co. & Dande Co.)

The Disputed Product: Beverage or Supplement?

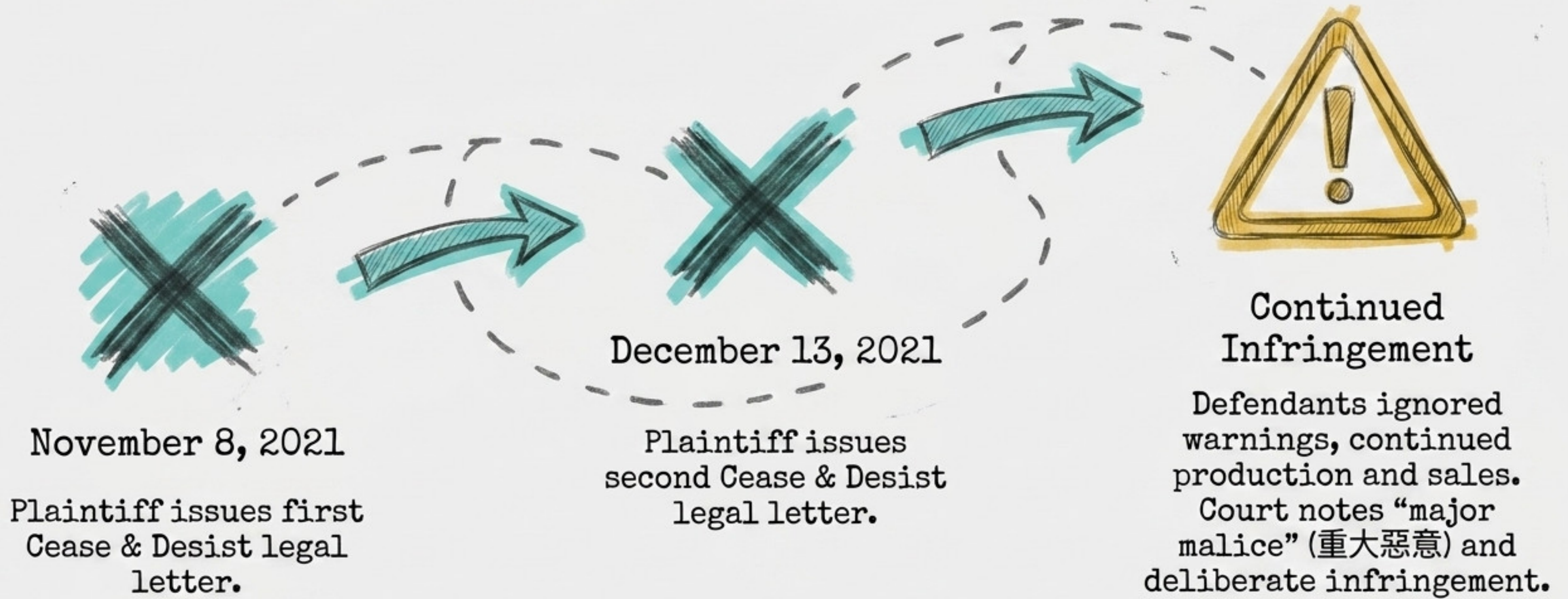


The Core Legal Question: Is this product a 'Nutritional Supplement' or simply 'Vitamin-Enriched Plant Milk'?

The Trademark Classification Battle

	Class 5 (Plaintiff's Domain)	Class 29 (Defendant's Domain)
Category	Medical Nutritional Products & Supplements	Dairy, Protein Milk & Soy Milk
IP Office Definition	Provides specific nutrients or health benefits; not for treating disease.	General foods; simple protein powders without specific health claims.
The Conflicting Arguments	Plaintiff: Product acts as a medical/nutritional supplement.	Defendant: Product is simply plant milk with added vitamins.

Escalation and Subjective Intent



Court Analysis I: Self-Incriminating Marketing

How the Defendant proved the Plaintiff's case.



Contains complete protein,
Vitamin B12, and Iron needed
by vegetarians...

Vitamin... can be used as a
nutritional supplement...

Recommended by dietitians as a
convenient nutritional choice.

The Court ruled: The addition of specific vitamins combined with the marketing language elevates the product beyond simple Class 29 food into a Class 5 Nutritional Supplement.

Court Analysis II: Trademark Similarity Assessment

Metamin
Vetamin

6 of 7 letters are identical.

Highly similar phonetic pronunciation.



Ruling: High degree of similarity causing likelihood of confusion among consumers (Trademark Act Article 68, Item 3).

The Verdict



- ✓ 1. **Cease & Desist:** Defendants must immediately stop selling the disputed product.
- ✓ 2. **Prohibition:** Forbidden from using identical or similar trademarks on identical or similar goods.
- ✓ 3. **Destruction:** All offending products, advertisements, web pages, and packaging bearing 'Vetamin' must be destroyed or removed.
- ✓ 4. **Joint Liability:** Trademark owner (Yiguo Co.) and distributor (Dande Co.) held jointly liable.
- ✓ 5. **Costs:** Litigation costs to be borne entirely by the Defendants.

**INJUNCTION
GRANTED**



Key Takeaways & Strategic Insights

Marketing Dictates Classification

A product's trademark classification is not just about base ingredients. **Marketing claims** (e.g., 'nutritional supplement', 'high calcium') can legally push a basic food product (Class 29) into medical/nutritional categories (Class 5).

The 'One Letter' Illusion

Changing a single starting letter (M to V) while maintaining an **identical suffix** is insufficient to avoid infringement, especially if the visual and phonetic impression remains highly similar to the consumer.

Supply Chain Joint Liability

Both the trademark owner who registered the infringing mark and the authorized distributor who sold it were held **jointly liable**. Complex supply chains do not shield companies from IP infringement.