

FIRST INFORMATION REPORT

(Under Section 454 Cr. P.C.)

173 BNS

1514



Darjeeling P.S. Siliguri Year 2024 FIR No. 664/24 Date 18.07.2024
NS-2023 Sections 125/313(2) i) Act. Copyright Act Sections 63/65
ii) Act. Trademark Act Sections 104 iv) Others Acts & Sections

3. (a) Occurrence of offence : Day Date From Date To 01 18.07.2024
Time Period Time From Time To

(b) Information received at P.S. Date 18.07.2024 Time 16.05 hrs.

(c) General Diary Reference : Entry No (s) 1019 Time 16.05 hrs.

4 Type of Information Written Written / Graf

5 Place of Occurrence (a) Direction and Distance from P.S. 3 km North. Beat No.

(b) Address Shop of Nilmal Kumar Daga named as Ramdeo Auto Parts, Ashrampara, Udham Singh Sarani, PS-Siliguri, DTG.

(c) In case outside limit of this Police Station then the

Name of the P.S. District

6 Complainant / Informant :

(a) Name Poushik Biswas

(b) Father's / Husband's Name Prodip Biswas

(c) Date / Year of Birth 25.09.1997 (d) Nationality Indian

(e) Passport No. X Date of Issue : X Place of Issue

(f) Occupation

(g) Address 71/3 Bamunmura Main Road, Barrasat-1, Cadu, 24 Parganas

7. Details of known / suspected / unknown accused with full particulars (N), WB-700128,

(Attach separate sheet, if necessary) :

(1) Nilmal Kumar Daga and others.

8. Reasons for delay in reporting by the Complainant / Informant

N/A

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) :

2 pcs Counterfeit Bosch Brush Holders

10. Total value of properties stolen / involved Rs. 1230

11. Inquest Report / U.D. Case No. If any N/A

12. FIR Contents (Attach separate sheets, if required) : The original written complaint which is treated as FIR is enclosed herewith.

13. Action Taken : Since the above report reveals commission of offence(s) as mentioned at Item No. 2, Registered the case and took up the investigation / directed S.I. Raju Sarkar of F.B., S.P.C., Dist- Darjeeling to take up investigation / refused investigation / transferred to P.S. on point of jurisdiction. FIR read over to the Complainant / Informant, admitted to be correctly recorded and a copy given to the Complainant / informant free of cost.

on original written complaint

14. Signature / Thumb impression of the Complainant / Informant

Signature of the Officer-in-Charge, Police Station Name: Binod Singh Rowat Rank: No. Inspector In Charge Siliguri Police Station Siliguri Police Commissionerate

15. Date & Time of despatch to the court :

# BRILLIANCE BUSINESS CARD LLP



To,  
Inspector in Charge,  
Siliguri Police Station

Date: 18/07/2024

**Subject: Complaint against counterfeit materials of Bosch Ltd.**

Respected Sir,

I, **Poushik Biswas s/o Prodip Biswas** of 71/3 Bamunmura main road, Barasat-1, Badu, 24 parganas (N), West Bengal, Pin -700128, employed as **Sr. Investigation Officer – Brand Protection** in **BRILLIANCE BUSINESS CARD LLP**, state that I am the duly authorized representative and signatory of **BRILLIANCE BUSINESS CARD LLP**. I am acting on behalf of the client company **Bosch Limited** (hereinafter referred as the Complainant Company) having their office at **Post Box No. 3000, Hosur Road, Adugodi, Bengaluru (Karnataka) – 560030** by virtue of the Special Power of attorney executed by the complainant company.

That the Complainant companies are undoubtedly one of the leading giants well known across the globe for its new innovative and lucrative inventions precisely in the field of automobile. That the complainant companies while applying its distinct new thoughts and ideas has invented various types of automobile spare parts like **Brake Components, Nozzles/Elements, Diesel Systems, Battery, Filter, Gasoline Systems, Lighting Technology, Rotating Machines, Spark and Glow Plugs, Brush Holders, Wipers, Belts and Kits, Comfort Electronics, Electronic Service, Steering Systems** etc. of **Bosch**. Further, the complainant companies have registered the above said products under the provisions of the Indian Copy Rights Act in the Office of the Registrar of the Copy Rights and have renewed the same. By virtue of the registered Copy Rights of the above said products and the provisions of the Act the complainant companies is the sole owner of the said products and consequently has the exclusive right to use the said Copy Rights in respect of the goods for which it is registered. Copies of the Copy Rights & Trademarks documents issued by the Registrar.

It is recently come to our notice that some unscrupulous persons / firms are indulged in nefarious activities like selling the products in the name of **Bosch Brush Holders & Bosch Glow Plugs**, etc. which are counterfeit products of the **Bosch Limited** and it's said brands which clearly amounts to exploit the complainant companies Copy Rights & Trademarks. Apart from this, it also amounts to the commission of offences under the Indian Copy Rights Acts. Furthermore, these unscrupulous persons/ entities while conniving with numerous other nefarious individuals inter se are committing the offences of cheating and forgery punishable under various Sections of law. Moreover, due to the above started illegal activities of these unscrupulous persons/ firms the innocent public is being cheated, the Government is incurring huge loss to its revenue and the image of the companies is being tarnished. Counterfeit products of vehicles are also putting lives of vehicle passengers at risk.

*Poushik Biswas*

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71/3, Bamunmura Main Road, Barasat - 1, Badu, 24 Pgs. (N), Kolkata - 700128, West Bengal



# BRILLIANCE BUSINESS CARD LLP



India is a member of both Berne & Universal Conventions & Indian law extends protections to all Copyrighted works originating from any of the conventions countries. Foreign works first Published in a country which is a member of either of the conventions would be accorded the same Copy Rights protection in India as India works without undergoing any formalities, on the assumption that the home country accords reciprocity to Indian works.

During our investigation in Siliguri on today (18.07.2024) at about 12:40 hrs I found that Nirmal Kumar Daga owner of Ramdeo Auto Parts situated at Ashrampara, Udham Singh Sarani of Siliguri PS, Dist- Darjeeling is selling counterfeit products of Bosch.

Through selling of Counterfeit products Ramdeo Auto Parts is

- Endangering human lives.
- Cheating customers, Bosch Company and taxation authorities.
- Violating the Copyright and Trademark of Bosch Company.

In the above stated facts and circumstances, I fervently request you to take immediate appropriate legal action against the offenders u/s

- Section 125/318(2) BNS 2023 read with
- Section 63 & 65 of Copyright Act 1957 and
- Section 104 of Trademarks Act 1999.

Prompt action will be highly appreciated.

Thanking You

Yours Sincerely,

*Poushik Biswas*

(Poushik Biswas)

(Mob - 9093662286)

Date: 18.07.2024.

Received on 18/07/24 at 16.05 hrs.  
vide G.O. No. 1019 and started sig PS  
case No. 664/24 dt. 18/07/24 u/s- 125/318(2)  
BNS r/w Sec- 63/65 of Copyright Act-1957  
r/w Sec 104 of Trademark Act 1999 and  
enclosed to SI Raju Sarkar of E.B. SPC,  
DJS for its investigation.

*Abhijit Chowdhury*  
Inspector Incharge  
Siliguri Police Station  
Siliguri Police Commissionerate

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