IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE

[1987] SGHC 68

Suit 724/87

Between

Dennison PLC (Formerly known as Dennison Manufacturing Co Limited)

… *Plaintiff*

And

Monarch Marking (S.E.A.) Pte Ltd (Monarch Singapore)

… *Defendant*

GROUNDS OF DECISION

Version No 1: 11 Sep 2026 (01:05 hrs)

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Dennison PLC (Formerly known as Dennison Manufacturing Co Limited) v Monarch Marking (S.E.A.) Pte Ltd (Monarch Singapore)

[1987] SGHC 68

Suit 724/87
Chan Sek Keong JC
28 May 1987

1 A. Order on Notice of Motion

2 1. Ex parte Injunction granted on 13/3/87 is discharged subject to Defendants providing undertaking up to $10,000 of parent company as to damages, if any, suffered by Plaintiffs and subject to Defendants keeping Plaintiffs informed of level of stocks and sales of tag pins on monthly basis.

3 2. Costs in the cause.

4 Short Grounds

5 (a) Ex parte application unnecessary as Plaintiffs knew about alleged infringement in May 1986. Affidavit of Charles Liew filed on 12/3/87 failed to disclose past litigtion between Plaintiffs' ultimate parent company and Defendants' parent company on tag pins and also that negotiations between Plaintiffs and Defendants between June 13, 1986 to November 14, 1986 for sale of Plaintiffs' tag pins.

6 (b) Damages are a sufficient rememdy to Plaintiffs,

7 (i) Damages can be met by a cross undertaking of Defendants' parent company.

8 (ii) Damages are easily ascertainable in view of Defendants' offer to inform Plaintiffs of level of stocks and sales in Singapore,

9 (iii) Damage to Plaintiffs not irreparable. Plaintiffs have built up substantial market (turnover of US$250,000) in tag pins from 1985-1986 whereas Defendants only managed to sell about $6,000 worth of tag pins in 1985 after having established its business in Singapore in 1981. Obviously Plaintiffs' sales organisation much more efficient than that of Defendants'.

10 (c) EAR Corp. case not convincing on the question of irreparable damage. CATNIC case is more relevant. There, the Court of Appeal found that the Defendant's activities posed no threat to the development of the Plaintiff's business. Here too, on the undisputed facts, the Plaintiffs' future business cannot be threatened by the Defendants' continuing sale of tag pins. No evidence that Plaintiffs will suffer substantial loss because part of market amounting to $6000 would be taken away by Defendants. Argument of other infringers waiting in the wing also not convincing. One infringer is a retailer of Defendants. Plaintiffs say they may have to close business if injunction not continued and closure would be imminent. In view of Plaintiffs' volume of sales, no discernable reason to close down business.

11 (d) Unnecessary to deal with balance of convenience.

12 B. Order on S/C 2020/87

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13 1. OIT Prayers (1), (2) and (3) with costs to Defendants on application for discharging Anton Filler Order.

14 2. Goods and documents seized to be returned forthwith to Defendants.

15 Short Grounds

16 No evidence that Defendants intended to or would destroy tag pins or documents relating to them. On the contrary, evidence shows Defendants prepared to defend allegation of infringement and has taken steps to apply for revocation of Plaintiffs' patent.

Chan Sek Keong JC

Tan Tee Jim for Plaintiffs
G Radakrishnan for Defendants

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