

TITULO: Chilean fruit exporter wins compensation in counterfeit packaging case				
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## Chilean fruit exporter wins compensation in counterfeit packaging case

Emily Darby | 19 June 2020

Guerrero Olivos has helped Chilean fruit exporter Unifrutti obtain compensation from a Chinese company that was caught exporting lemons in counterfeit containers, using Unifrutti's trademark.

Both parties reached a settlement agreement, in which the Chinese company agreed to pay Unifrutti US\$20,000 in compensation. The matter was concluded on 14 May following the destruction of the counterfeit packaging.

The settlement came after some 3,200 boxes falsely labelled with the Chilean company's trademark were seized by the customs office at the harbour of Shekou in southern China.

China's CCPIT-Patent and Trademark Law office, which was involved in the matter, relied on in-house counsel.

Following the seizure, border controls at destinations to which Unifrutti's produce is most commonly exported have been put on alert for similar cases of passing off.

One of those countries is the Netherlands, where the Chilean fruit producer is already working with authorities in the city of Rotterdam to identify any further possible counterfeit imports. The development comes after a Dutch subsidiary of Irish fruit producer TotalProduce notified its supplier Unifrutti of falsely labelled imports using the Chilean fruit company's name in the area.

Unifrutti also has a presence in South Africa, Italy, the Philippines and Japan, where customs offices have been advised to look out for suspicious labelling.

Unifrutti is owned by De Nadai Group, the Italian family that founded the Chilean fruit exporting business in 1983. The company ships an average of 11 million boxes of produce a year and harvests fruit across the 140 square kilometres of farmland in Chile, Italy and South Africa, among others.

### **Counsel to Unifrutti**

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