Trademark Enforcement in Cambodia: Café Logo Dispute Resolved via Economic Police Action

A café logo dispute in Cambodia demonstrates that trademark infringement **does not necessarily require an exact copy of a registered mark**. Where the logo presentation, storefront signage, and **overall commercial impression** create a likelihood of confusion in the same service sector, the trademark owner may have grounds to act. In this case, **MGC Global Co., Ltd.**, owner of the **MEGA COFFEE / MGC logo** trademark in Cambodia, adopted a staged enforcement strategy: **evidence collection, issuance of a warning letter, escalation to the Economic Police**, and ultimately securing a **written undertaking to cease use and remove the infringing sign**.

Background

MGC Global Co., Ltd. (formerly ANNHOUSE CO., LTD.) owns **Cambodian Trademark Registration No. 95262** for the **MEGA COFFEE / MGC logo** in **Class 43**, covering **café, restaurant, and food and beverage services**.
The dispute arose when a café in Cambodia operating under the name **COFFEE MASILAE SHOP** used a logo and storefront sign that, while **not identical** to MGC Global's registered mark, created a **similar overall impression**. The issue was not the use of the word "coffee", which is descriptive for café services. Rather, the concern lay in the way the sign was presented as a whole: the **device element, lettering style, colour arrangement, and visual impact of the storefront signage** as actually used in the marketplace.
This distinction is particularly important in the **food and beverage sector**. Consumers do not always analyse a trademark element by element. In real commercial settings, especially when seeing a café sign from the street or on social media, they are often influenced by the **overall look and feel of the brand presentation**.

Legal Issue

The central legal issue was whether the accused sign, although **not an exact reproduction**, was sufficiently similar to the registered MGC logo to **cause confusion or create a mistaken association as to commercial origin**.

In trademark enforcement, the comparison should not stop at whether the two signs are identical. A later-used sign may still raise infringement concerns if it copies or imitates **important visual elements** of the registered mark and creates a **confusingly similar overall commercial impression**, particularly where it is used for the same or closely related services.

In this case, both parties operated in the **café and food service sector**. This significantly increased the **risk of confusion**. When two signs appear in the same service environment, similarities in **logo layout, colour placement, lettering style, and storefront presentation** may carry greater weight than they would if assessed in isolation.

Enforcement Strategy

The trademark owner adopted a **staged enforcement approach**, rather than immediately initiating court proceedings.

First, **evidence of actual use** of the accused sign was collected and organised. This included **photographs of the storefront, the logo as displayed in business operations, the café location, and the nature of the services provided**. This step was critical because enforcement authorities need to see how the accused sign is used **in the marketplace**, not merely how it appears in an abstract or isolated comparison.
Second, a **cease-and-desist letter** was sent to the café operator. This gave the alleged infringer an opportunity to **voluntarily stop using the disputed sign** and resolve the matter amicably, without immediate intervention by the authorities. In many cases, a warning letter also helps demonstrate that the rights holder has acted in a **reasonable and proportionate** manner.
However, when the alleged infringer **failed to cooperate and continued using the disputed sign**, the trademark owner escalated the matter by filing a complaint with the **Cambodian Economic Police**. This escalation was necessary to **stop the continued use** of the sign and obtain a more concrete enforcement outcome.

Developments and Outcome

After reviewing the case file, on **1 July 2026**, the **Cambodian Economic Police** conducted an on-site inspection at **COFFEE MASILAE SHOP**.

During the working session, the enforcement authority confirmed that **MGC Global Co., Ltd. was the lawful owner of the registered trademark in Cambodia**. The authority also explained to the café representative that the use of the disputed sign **could constitute trademark infringement**, given its similarity to the registered MGC logo and its use in the same café service sector.

Following the inspection, the café representative signed a **written undertaking**. Under this undertaking, the café agreed to **cease using the infringing sign** and **remove all logos, storefront signs, advertising boards, promotional materials, and other infringing indications**. The café also agreed to complete the removal by **15 July 2026** and report the implementation result for follow-up inspection by the **Economic Police**.

The case was therefore resolved **without immediate court proceedings**. More importantly, the trademark owner obtained a **formal written commitment through the intervention of an enforcement authority**. This provided a practical basis to **monitor compliance** and take further action if the infringer failed to honour its undertaking.

Key Takeaways

This case offers several practical lessons for **brand owners and IP practitioners**.

First, trademark infringement **does not necessarily require exact copying**. In sectors such as **cafés, restaurants, and food services**, the **overall commercial impression** of a sign can be decisive. The use of a different word element does not automatically eliminate infringement risk if the visual presentation still creates an impression that is **confusingly close to a protected mark**.

Second, **evidence should come before enforcement**. Photographs of **storefront signage, menus, advertising materials, social media pages, business location, and proof of actual service provision** can significantly strengthen a complaint. A **well-prepared evidence dossier** makes it easier for enforcement authorities to identify the infringement and take action.

Third, **warning letters are useful**, but they should not turn into endless negotiations. If the infringer refuses to cooperate, **timely escalation** may be necessary to stop the infringing use and prevent further dilution of the mark's **distinctive character**.

Finally, a **written undertaking can be a valuable enforcement result**. In many trademark cases, the immediate commercial objective is not damages, but the **prompt cessation of infringing use**. A written undertaking obtained through the involvement of an enforcement authority gives the rights holder a clear basis to **monitor compliance, demand implementation, and take further action if the infringer reoffends or fails to comply**.

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