

The demanding company is Las Palmas Company, which owns a number of international food franchises across Kuwait such as Subway, Charlie's Grill Subs, Jump Asian Fast Food, Benihana and Al Kham restaurant.

And one of the food franchises held by the company is the Asian restaurant Benihana which is currently open in one branch in The Avenues on the fifth ring road until further branches are launched across Kuwait just like the case of other franchises held by the Company. Benihana serves high quality Japanese food and beverages and has an international positive reputation for the quality of food it serves. The restaurant is visited by hundreds of customers each day from different nationalities, especially Asian nationals who identify with the brand name.

Las Palmas was surprised to hear that the above mentioned person (Marc), and for unidentified reasons, has published offensive reviews about the restaurant and its food offerings. The person in question has stabbed the quality, safety and validity of the food with offensive and insulting wordings that affect the reputation of the restaurant. The person claimed that he has visited the restaurant located at The Avenues with his wife and that when they ordered the food, it turned out to be under cooked, bad and disgusting to the point where they were about to throw up what they had eaten. The post was accompanied with photos and two videos about the restaurant taken without the authorization of the restaurant or permission from anyone.

The Company found out after inspection that the person has a private website and works for an advertising company. The person uses his website at work which poses questions marks on his motivations on writing a negative review about the restaurant for the benefit of the company he works for and for the benefit of competitors since he has mentioned the names of other restaurants located at The Avenues claiming that they offer good food.

The person publishes fabricated news to gain fake popularity through his website on the back of one of the leading companies in Kuwait that offers fast food chains and has the franchise rights of many international restaurants across Kuwait.

The person in question has publicly insulted a restaurant through a website that is read by tens of thousands of people. The person hasn't stopped at reviewing or giving his personal point of view, specially that the facts mentioned in his article are faulty and far from true, since if they were, the restaurant would have been inspected, closed and fined.

And so, we order the payment of KD5001 as a compensation for the damages caused to the restaurant management and for encouraging large number of customers not to try the restaurant by insulting, doubting the quality and food served by Benihana and using expressions that disgust people from trying the food. The person has caused huge material damages to the restaurant, ethic damage to the restaurant's reputation as an international brand that has chains all over the world as well as hurt the restaurant's potential to expand in Kuwait by influencing all kinds of nationalities not to try a restaurant that offers a specific type of food that is subject to taste preference.

Not to mention that the restaurant has invested huge amounts of money to setup the restaurant in The Avenues, the holding Company requests compensation to the psychological and financial damages caused by the person's insulting comments to the reputation of an international brand as well as other damages caused presently and in the future which are difficult to limit by the current compensation, and would require additional compensation when responsibility is proved.

The bad comments have been published on the internet and is available publicly, so we are bringing is a third party to the court order to oblige the person to close his website for violating the law of publishing and insulting others without legal authorization.