

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2015

CORAM:

THE HONOURABLE MR. JUSTICE **K.K.SASIDHARAN**

Civil Suit No.790 of 2015

1.Unilever PLC,
Port Sunlight Wirral,
Merseyside Endland CH624ZD,
United Kingdom,
represented by Power of Attorney,
Mr.Jayant Deshpande

2.Hindustan Unilever Limited,
101, Santhome High Road,
Chennai 28,
Rep. By its Regional Legal Counsel,
Mr.Saif Jamal : Plaintiffs

versus
Ceeeva Chemicals.
Thandassary Manzil,
P.O.Eriyad 680 666,
Kodungallur,
Rep. By its person in charge,
Mr.Salahudeen : Respondents

Suit filed to a perpetual injunction restraining the defendant its distributors printers stockists servants agents retailers representatives franchisees or any other person claiming through or under them from in any manner infringing the plaintiffs registered trademark COMFORT by printing stocking manufacturing selling offering for sale stocking advertising directly or indirectly any goods and in particular washing powder or washing bar or fabric conditioner or any detergent product under the trademark COMFORT PLUS either per se or in combination with other mark, and/or any other mark or device either in English or any other language, which is identical/deceptively similar to the plaintiff's trademark COMFORT or in any other manner whatsoever and other reliefs.

For Plaintiffs : Mr.Rahul Balaji

For Defendants : Mr.Baboo Joseph

J U D G M E N T

The plaintiff filed the subject suit against the defendant alleging infringement and passing off, besides other reliefs.

2. The plaintiffs took out a commission to inspect the premises of the defendant. This Court appointed Advocate Commissioners. The Advocate Commissioners seized the products and moulds that was found in the premises of the defendant.

3. Subsequently, the parties have settled the matter. The joint compromise memo signed by the plaintiffs and defendant dated 16 December 2015 contain the terms and conditions of the compromise.

4. The constituted attorney on behalf of the second plaintiff is present in Court. Similarly, proprietor of CeeVa Chemicals, Kodungallur, by name Mr.Salahudeen, is also present in Court. The parties have confirmed the factum of settlement.

5. The suit in C.S.No.790 of 2015 is decreed in terms of the joint compromise memo. The joint compromise memo dated 16 December 2015 shall form part of the decree.

6. The Advocate Commissioners have handed over the keys of the premises in question to the defendant. The premises would be opened by the defendant in the presence of the representatives of plaintiffs on or before 19 December 2015.

7. The second plaintiff is directed to pay a sum of Rs.50,000/- (Rupees Fifty Thousand only) each, as additional remuneration, to the Advocate Commissioners. Such payment shall be made forthwith.

sd/.K.K.S.J

17.12.2015

//Certified to be a true copy//

Dated this the day of 2016

R.s/25.02.2016

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.