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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(OS) 131/2014

TRIUMPHANT INSTITUTE OF MANAGEMENT
EDUCATION PVT LTD

..... Plaintiff

Through : Mrs. Pratibha M. Singh, Sr. Adv. with
Ms. Bitika Sharma and Mr. Kapil
Midha, Advs.

versus

M/S EDUCATION TIME & ORS

..... Defendants

Through : Mr. S. N. Tirpathy, Mr. Jayant
Chaurasiya and Mr. Sunil Kumar
Tiwari, Advs. with D-3 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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28.10.2015

Defendant no.3 is present in person and he is proprietor of the defendant nos.1 & 2. He submits that none of the defendants will use the trademark and logo 'T.I.M.E.', and 'EDUCATION TIME' or any other deceptively similar mark as that of the plaintiff, inasmuch as the defendants will not use the coaching material of the plaintiff. Defendants shall remain bound by this statement. In view of the statement, a decree in terms of the prayer 'a' and 'c' is passed in favour of the plaintiff and against the defendants. Defendants shall return the coaching material seized by the Local Commissioner and lying in Superdari of the defendant no.3 to the

authorized representative of the plaintiff. Other prayers have not been pressed by the plaintiff. Suit is disposed of in the above terms. All the miscellaneous applications are disposed of as infructuous.

A.K. PATHAK, J.

OCTOBER 28, 2015

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