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

+ CS(OS) 1753/2009

OKTATBYEBYE.COM

..... Plaintiff

Through: Ms. Nancy Roy, Advocate

versus

TATA SONS LIMITED & ORS

..... Defendants

Through: Mr. Pravin Anand, Advocate with
Mr. Achuthan Sreekumar and Mr. Karan
Kamra, Advocates

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

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29.07.2015

I.A. 15050/2015 (joint application u/O XXIII R 3 CPC)

1. The present joint application has been filed by the parties stating *inter alia* that during the pendency of the suit, they have arrived at a settlement in terms whereof, the plaintiff has acknowledged the defendant No.1 to be the proprietor of the trademark, "TATA" and in turn, the defendant No.1 has acknowledged that the plaintiff is the current owner of the domain name, www.oktatabyebye.com, subject to the said domain name being used in the manner as stipulated in para 3 of the application. The plaintiff has confirmed that it has changed its old logo and the new logo that they are using has been depicted in page 8 of the present application. The remaining terms

and conditions of the settlement have been set out in paras 4 to 10 of the application.

2. In view of the undertakings given by the parties to each other, learned counsels state that the suit may be disposed of.

3. The Court has perused the present application. The same has been signed by the authorised signatories of the plaintiff and the defendant No.1 and their respective counsels and the same is supported by the affidavits of the signatories to the application.

4. As counsels for the parties jointly state that their clients have arrived at the aforesaid settlement of their own free will and volition and without any undue influence or coercion from any quarters, there appears no legal impediment in accepting the said settlement. The parties shall remain bound by the terms and conditions of the settlement recorded in the application. The suit is decreed in terms of the settlement recorded in the application.

5. The application is allowed. The suit is disposed of alongwith the pending applications and the Chamber Appeal, while leaving the parties to bear their own expenses.

HIMA KOHLI, J

JULY 29, 2015

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