

JSN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO. 2635 OF 2016
IN
SUIT (L) NO. 892 OF 2016

Flsmidth A/S and Another	...Plaintiffs
<i>Versus</i>	
Spectrum Weighpack Private Limited	...Defendant

Dr. Birendra Saraf, *with Mahesh Mahadgut, Miloni Gada and Poonam, i/b Mahesh Mahadgut for the Plaintiffs.*
Mr. Himanshu Kane, *with Ms. Laher Shah, I/b W.S. Kane and Company for the Defendant No.1.*
Mr. Pramod Rana, *Director of Defendant No.1 Company.*
Mr. A.S. Tamannawar, *Section Officer present.*

CORAM: G.S. PATEL, J
DATED: 7th December 2016.

PC:-

1. Mr. Kane makes a statement on instructions from Mr. Pramod Rana, Director of the Defendant No.1 Company, who is present in Court, in the following terms:

- (a) That the Defendants are not using and will not use any of the Plaintiffs' drawings as mentioned in the Plaint, in the manufacturing and production of spare parts or equipment.

- (b) That the Defendants will not use the Plaintiffs' drawing numbers, part code numbers or part numbers mentioned in the Plaintiffs' drawings in any price list, catalogue, brochure, pamphlet or communication from the Defendants to any of the Defendants' end-users or clients, whether existing or prospective.
- (c) That, as regards the three trade marks **VENTOMATIC**, **VENTOCEM** and **VENTOSORT**, the Defendants are not using and will not use these trade marks or any other similar trade mark(s) in relation to any products or materials that the Defendants use or manufacture.

2. These statements are accepted as undertakings to the Court, pending the hearing and final disposal of the suit.

3. The Notice of Motion stands disposed of in these terms with no order as to costs.

(G. S. PATEL, J.)