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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
NOTICE OF MOTION (L) NO. 121 OF 2016
IN
COMMERCIAL SUIT (L) NO. 168 OF 2016**

Ericson And Richards	...Plaintiffs
<i>Versus</i>	
Ericson And Richards (Madras) & Another	...Defendants

**Dr. Birendra Saraf, with Mr. Yahodeed Raje Deshmukh, i/b Mr.
Rohan Wagh, for the Plaintiffs.**

Mr. Vikrant Zunjarrao, for Defendants Nos. 1 and 2.

**CORAM: G.S. PATEL, J
DATED: 18th October 2016**

PC:-

1. On behalf of the Defendants, a statement is made that they will cease use of the service marks ***Ericson and Richards*** and the device mark ***Ericson and Richards*** within a period of six months from today. They will also not accept any new business in the name of entity or firm or accept fresh orders by using either of these marks. They will also not adopt or use any other similar mark for their business.

2. The Defendants have certain orders in hand for which they require to issue Survey Reports. The Defendants will file a list of those jobs or orders that are present in hand in this Court on or before 26th October 2016. The Defendants will be at liberty to complete issuing their Survey Reports in respect (and only of) those job works or orders that are currently in hand. In doing so, they will communicate to their clients or customers that they will not be issuing any further Reports in the name of any entity or using the marks in question. These statements are noted and accepted as undertakings to the Court.

3. In view of this, Dr. Saraf for the Plaintiffs, does not press for any interim relief.

4. The Notice of Motion is disposed of in these terms. There will be no order as to costs.

(G. S. PATEL, J.)