

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2016

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.15534 of 2016

M/s.Advaith Bio Remedies,
A reg partnership firm rep. by partner
Mr.Y.Naveen Kumar
No.26 Veerasandra Industrial Area
Electronic City, Phase-2,
Bangalore-560 100 Karnataka. ..Petitioner

Vs

The Registrar of Trademarks
Office of the Trademarks Registrar,
IP Office Building, GST Road, Guindy,
Chennai- 600 032, Tamil Nadu ..Respondent

Writ Petition filed under Article 226 of the
Constitution of India, praying to issue a Writ of Mandamus
directing the respondent to dispose off the petitioner's
application for registration in application No.3040849 in Class
05 within a time frame as may be fixed by this Hon'ble court.

For Petitioner : Mr.C.S.Kiran
For Respondents : Mr. K.Srinivasamurthy

ORDER

The learned counsel appearing for the petitioner has drawn
the attention of this Court to the affidavit as well as the
typed set of documents. सत्यमेव जयते

2. The petitioner is running a business of manufacturing
and marketing Ayurvedic medicines and cosmetics ever since the
year 2011 and their products are considered and used by everyone
as finest quality products available in the country and they
also market one of their product under the brand name BIO CARE.
It is further submitted by the learned counsel for the
petitioner that the petitioner has also applied for registration
of trade mark BIO CARE, label as well as word per se vide
application No.3040849 in class 05 dated 24.8.2015 and though
nearly one year had elapsed, the said application has not been
considered and as a consequence, the business of the petitioner
suffers and hence, prays for appropriate orders.

3. Heard the submissions of Mr.K.Srinivasamurthy, learned counsel, who accepts notice on behalf of the respondent.

4. This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the respondent to consider and dispose of the petitioner's trade mark application bearing No.3040849 in class 05 dated 24.8.2015 as expeditiously as possible, by giving utmost preference.

5. Writ petition is disposed of accordingly.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

kua

To:

The Registrar of Trademarks
Office of the Trademarks Registrar,
IP Office Building, GST Road, Guindy,
Chennai- 600 032, Tamil Nadu

+2ccs to Mr.C.S. Kiran, Advocate, S.R.No.29389

BVR(CO)
EU(16/06/2016)

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