

In the High Court of Judicature at Madras

Dated : 16.02.2016

Coram :

The Hon'ble Mr. Justice K.K.SASIDH ARAN

**C.S.No.292 of 2013
& A.No.3507/2014, O.A.No.442/2014, 322/2013 &
323/2013**

M/s N.Ranga Rao & Sons Private Limited,
PB No.52, Vani Vilas Road,
Mysore-570 004. and also at
25-B, Industrial Estate,
Chennai-600 097.
Represented by its Director
Mr.Vishnu Das Ranga. .. Plaintiff

-vs-

Good Luck Perfumers,
791, Budhwar Peth,
Moti Chowk,
Pune-411 002. ... Defendant

Suit filed under Order VII Rule 1 CPC and
under Order IV Rule 1 of OS Rules read with Sections
134 and 135 of the Trade marks Act, 1999, to grant
permanent injunction restraining the Defendant by
itself, its servant, agents or anyone claiming
through it from in any manner infringing the
plaintiff's registered Trade Mark "GOOD LUCK" by
using the identical and offending Trade Mark
"GOODLUCK" or any other mark or marks which are in

way identical, deceptively similar to or a colourable imitation of the plaintiff's registered Trade Mark "GOOD LUCK" either by manufacturing or selling or offering for sale or in any manner advertising the same; to grant permanent injunction restraining the Defendant by itself, its servant, agents or anyone claiming through it from in any manner passing off of its Incense Sticks" bearing the offending trade mark "GOODLUCK" as and for the plaintiff's celebrated products including "Incense Sticks and Dhoop Sticks" bearing the plaintiff's registered Trade Mark "GOODLUCK" either by manufacturing or selling or offering for sale or in any manner advertising the same; to direct the defendants to surrender to the plaintiff the entire stock of unused offending labels bearing the offending Trade Mark "GOODLUCK" along with the blocks and dyes for destruction; and to direct the defendants to render a true and faithful account of the profits earned by the defendant through the sale of its products, including the products bearing the offending Trade Mark "GOODLUCK" and direct payment of such profits to the plaintiff for the passing off committed by the defendant and to direct the defendant to pay to the

plaintiff the cost of the suit.

For plaintiff : Mr.Rajesh Ramanathan

For defendant : Mr.T.K.Ramkumar for

M/s Ram & Rajan Associates

JUDGMENT

The plaintiff filed a suit for permanent injunction restraining the defendant from infringing its registered Trade Mark "GOOD LUCK" by using the identical and offending Trade Mark "GOODLUCK" or any other mark or marks which are in way identical, deceptively similar to or a colourable imitation of the plaintiff's registered Trade Mark "GOOD LUCK" either by manufacturing or selling or offering for sale or in any manner advertising the same.

2.The defendant, after appearance, settled the matter with the plaintiff. The parties have entered into a memorandum of compromise dated 16.02.2016, which contains the terms and conditions of settlement.

Lalith Aruna, the authorised signatory.

4.The defendant is represented by Mr.Bilal Yakub Attur, the partner of the firm.

5.The parties have confirmed the factum of settlement. The suit is decreed in terms of the memo of compromise dated 16.02.2016. The Memo of compromise shall form part of the decree. No costs. Consequently, connected applications are closed.

sd/.K.K.S.J

16.02.2016

//Certified to be a true copy//

Dated this the day of 2016

S.S/12.07.2016

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.