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

+ **CS(OS) 1096/2015**

EXXON MOBIL CORPORATION & ANR

..... Plaintiff

Through: Mr. Yatin Grover, Advocate

versus

RAMESH CHAND SINGH & ANR

..... Defendant

Through: Mr. Pankaj Jain, Advocate for D1 &
D2

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
26.02.2016

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Learned counsel for the defendant submits that the defendants have taken the stand in their written statement that they have already discontinued the use of the mark, 'EXXON'. In para 5 of the written statement, the stand taken by the defendant, inter alia, is as follows:

“5.The defendants have used the name in good faith and to show its bona fide intentions the defendants have with effect from 07.07.2015 changed its Trade Name and/or its Company Name to “Punita Properties Private Limited” and the defendants herein most respectfully submits that they shall no longer use any mark that is same or similar to EXXON. A copy of the Certificate of Incorporation pursuant to change of name of the defendant no. 2 Company issued by the Registrar of Companies on 07.07.2015 showing that the defendants’ name

stood changed & that shall no longer use the said Trade Name and/or Company Name or the mark EXXON is being filed herewith and may kindly be referred to.”

Learned counsel for the plaintiffs, on instructions, states that in view of the undertaking of the defendants not to use the said mark in future or any other deceptively similar or confusing mark as that of the plaintiff, this Court may decree the suit in terms of prayers A and B(i)(a) of the plaint. This is agreeable to the defendant.

Counsel for the plaintiff submits that since the defendants are willing to suffer a decree in the aforesaid terms, and in view of the stand taken by the defendant in the written statement, the plaintiff gives up other reliefs in the suit.

Accordingly, the suit is decreed in terms of prayers A and B(i)(a) contained in the plaint. The parties are left to bear their respective costs.

VIPIN SANGHI, J

FEBRUARY 26, 2016
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