

\$~10.

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

+ **CS(OS) 1710/2015**

CROSSFIT INC

..... Plaintiff

Through: Mr. Pravin Anand and Ms.Kruttika
Vijay, Advocates

versus

NEERAJ MEHTA & ANR

..... Defendant

Through: Ms. Urmil Sharma and Mr. U.K.
Sharma, Advocates

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

19.05.2016

%

Defendant no.1 Mr. Neeraj Mehta, the founder of GFFI Fitness Academy is present. He states that the defendant has not used the mark of the plaintiff CROSSFIT with a view to claim any association with the plaintiff. He also undertakes that he shall not in future use the said mark in any manner whatsoever either in conjunction with BMX or otherwise.

Mr. Anand submits that since the defendant has given the said undertaking, the same may be accepted by the court, and the defendant may be bound by the same.

Accordingly, the undertaking given by defendant no.1 is accepted and he shall remain bound thereby. The suit is accordingly decreed in terms of

prayer (i) to (iv) & (vi) in para 20 of the plaint. However, the defendant is entitled to use BMX independently, and the plaintiff does not claim any right over BMX. The plaintiff gives up its claim for damages and costs.

The suit and the pending applications stand disposed of in the aforesaid terms.

VIPIN SANGHI, J

MAY 19, 2016

sr