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

+ **CS(OS) 4057/2014**

M/S INTER IKEA SYSTEMS BV & ANR Plaintiffs
Through: Ms. Shwetasree Majumdar, Advocate
with Ms. Tanya Varma, Advocate

versus

RANKIT KANAIYALAL THAKKAR & ORS Defendants
Through: Mr. Sushant Kumar, Advocate

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

ORDER
16.09.2016

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1. This order is in continuation of the order dated 08.09.2016. On the said date, counsels for the parties had jointly stated that the defendants have agreed to pay to the plaintiffs a sum of Rs.2 lacs toward damages. However, counsel for the plaintiffs had stated that the defendants have applied to the Trademark Registry for seeking registration of the trademark, "IKOA" in Class 17, which they may be directed to withdraw. Counsel for the defendants had sought time to obtain instructions.
2. Today, learned counsel for the defendants states on instructions that his clients are ready and willing to apply to the Trademark Registry for seeking withdrawal of their Application No.2104038 dated 22.02.2011 in respect of the trademark, "IKOA" in Class 17.
3. In view of the fact that the defendants do not wish to contest the suit,

with the consent of the parties, the suit is decreed in favour of the plaintiff in terms of prayer clause (a) and (b). A cheque for a sum of Rs.2 lacs, towards litigation expenses is handed over by the counsel for the defendants to the counsel for the plaintiffs, which is duly accepted. The defendants shall withdraw the trademark application No.2104038 dated 22.02.2011, referred to hereinabove within two weeks from today and a copy of the application for withdrawal shall be handed over to the counsel for the plaintiffs. Further, the defendants shall destroy the remaining goods in their stock, bearing the mark, "IKEA", which had been returned to them on *Superdari* by the Local Commissioner, within three weeks from today.

4. The suit is disposed of.

HIMA KOHLI, J

SEPTEMBER 16, 2016

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