

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 21.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

C.S.No.389 of 2009

The Great Royal Circus
Kalyani Nivas, Court Road,
Tellicherry District,
Kannur – 6.

.. Plaintiff

Versus

Royal Circus
Rep. By Mr.M.Chandran

.. Defendant

PRAYER : The Civil Suit filed under Plaint presented under Order VII Rule I of Civil Procedure Code and Order IV Rule I of O.S. Rules read with Sections. 134 and 135 of the Trade Marks Act, 1999 for the following reliefs :-

a) a perpetual injunction restraining the defendant by himself / themselves, their partners, proprietors, men, servants, agents, representatives or any of them from in any manner infringing the plaintiff's registered trademark "THE GREAT ROYAL CIRCUS" by use of the trademark "ROYAL CIRCUS" or by use of any deceptively similar trade mark and / or Trading style carrying identical layout, getup, art work, color scheme, in respect of any recreation, entertainment or any show or performance including that of circus or in any other manner whatsoever;

b) The defendant be ordered to surrender to the plaintiff for destruction all labels, dies, blocks, mould, screen prints, advertisement and promotional materials, packing materials, any other materials bearing the trademark and / or trading style "ROYAL CIRCUS" or any other mark / label deceptively similar to the plaintiff's registered trademark "THE GREAT ROYAL CIRCUS";

C.V.KARTHIKEYAN, J.

c) Preliminary decree be passed favouring the plaintiff directing the defendant to render true account of profits made by the use of trademark and / or trading style "ROYAL CIRCUS" and final decree be passed in favour of the plaintiff for amount of profits said to have been made by the defendant after they have rendered accounts and

d) for cost of the suit

For Plaintiff : Mr.K.Rajasekaran

J U D G M E N T

The learned counsel for the plaintiff has made the following endorsement :-

"We may be permitted to withdraw this suit"

2. Recording the above endorsement, the suit is dismissed as withdrawn. No costs.

21.02.2017

Index:yes/no
Internet:yes
vsi2

**Judgment in
C.S.No.389 of 2009**