

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.06.2017

CORAM

THE HONOURABLE Mr.JUSTICE P.KALAIYARASAN

C.S.No.111 of 2006

Foodworld,  
E-76, Greater Kailash, Part II,  
New Delhi - 100 048,  
Represented by its Partner  
I.K.Dogra.

Plaintiff

Vs

Foodworld Supermarket Limited,  
Spencer Plaza,  
769, Anna Salai,  
Chennai - 2.

Defendant

Plaint filed under Order VII Rule 1 of C.P.C. read with Order IV Rule 1 of O.S.Rules along with Sections 27, 134 and 135 of the Trade Marks Act, 1999 and pass a Judgment and Decree for ;

(a) A permanent injunction restraining the defendant, its assigns in business, affiliate and group companies, its directors and dealers, from marketing, selling, offering for sale, advertising, directly or indirectly dealing in food products and food business under the impugned trade mark and/trade name FOODWORLD or any other mark or name that may be deceptively similar with the Plaintiff's trade mark and/trade name FOODWORLD, as may be likely to cause confusion or deception amounting to passing off of defendant's goods/business as and for those of the plaintiffs;

(b) A decree for delivery up of all the infringing packaging, labels, blocks, dyes, articles etc. to an authorised representative of the plaintiff for destruction/erasure;

(c) A preliminary decree be passed in favour of the plaintiff directing the defendants to render account of profits made by use of the trademark FOODWORLD and a final decree be passed in favour of the plaintiff for the amount of profits thus found to have been made by the defendants after the latter have rendered accounts;

(d) Damages to the tune of Rs.10,05,000/- may be passed in favour of the plaintiff and against the defendant and

(e) Costs.

For Plaintiff : Ms.Gladys Daniel

For Defendant : Mr.Bharath  
for Mr.Pravin Anand

सत्यमेव जयते

**J U D G M E N T**

Application No.2766 of 2017 filed by the defendant seeking to record the Memorandum of Compromise dated 06.04.2017, entered into between the plaintiff and the defendant and pass a Judgment and Decree has been allowed today.

Memorandum of Compromise entered into between the parties dated 06.04.2017. Memorandum of Compromise dated 06.04.2017, shall form part and parcel of the decree. No costs.

sd/.P.K.J

07.06.2017

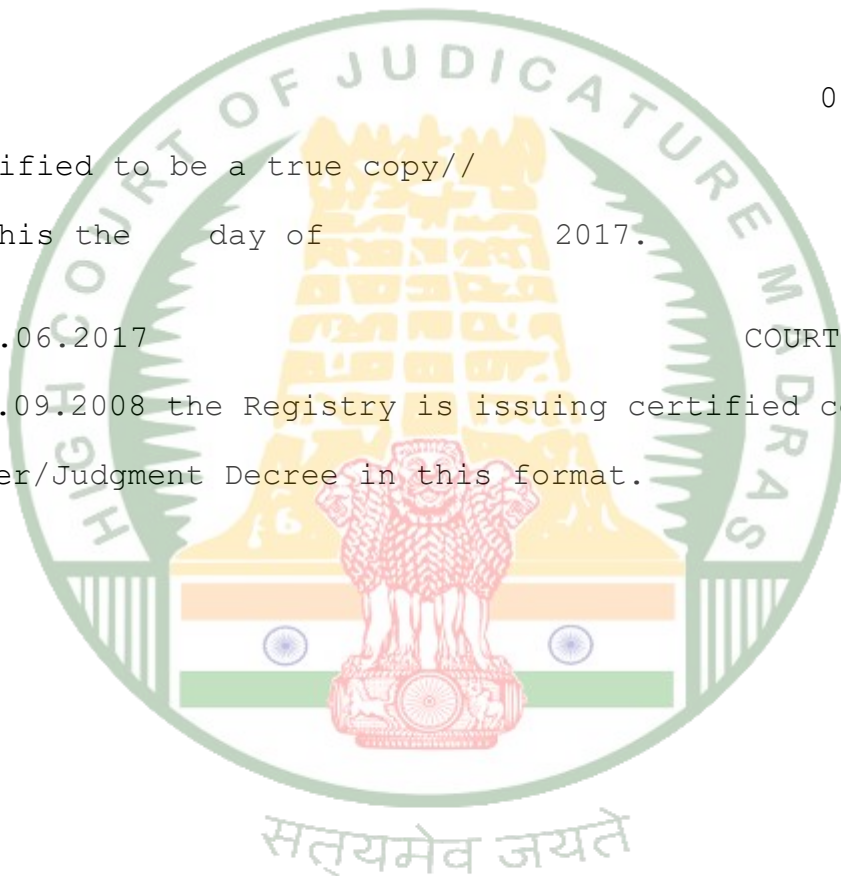
//Certified to be a true copy//

Dated this the       day of       2017.

P.M./14.06.2017

COURT OFFICER

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



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