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

+ **FAO(OS) (COMM) 218/2017**

BIGTREE ENTERTAINMENT PVT LTD Appellant

Through : Mr Sandeep Sethi, Senior Advocate
with Ms Swathi Sukumar and Ms
Surya Rajappan, Advocates.

versus

BRAIN SEED SPOTAIMENT PVT LTD & ANR Respondents

Through : Mr M.K.Miglani, Mr N.L.Thukral,
Mr Aayushman Gupta and Mr Galav
Sharma, Advocates for Book My
Show/R-1 & 2.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **15.12.2017**

CM No.45793 /2017(exemption)

Allowed, subject to all just exceptions.

FAO(OS) (COMM) 218/2017 & CM No.45792/2017(stay)

After some hearing, learned senior counsel for the Appellant sought liberty to withdraw the Appeal. However, he requested the Court to state that the impugned order should not be treated as conclusive and prejudice rights and contentions of the parties in the trial of the suit on its merit or any other proceedings before the Statutory Authority such as Registrar of Trade Mark.

In these circumstances, the present order as well as the Single Judge's impugned order shall not be treated as conclusive in any proceedings including the Suit and all rights and contentions of the parties are reserved.

The Appeal stands dismissed as withdrawn in the above terms.

S. RAVINDRA BHAT, J

SANJEEV SACHDEVA, J

DECEMBER 15, 2017

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