

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
NOTICE OF MOTION (L) NO.1403 OF 2018
IN
IP SUIT (L) NO.778 OF 2018
WITH
LEAVE PETITION NO.186 OF 2018**

Hindustan Unilever Ltd. ... Plaintiff
versus
Kheda Soap Factory ... Defendant

Mr. Vinod Bhagat i/by G.S.Hegde and V.A.Bhagat, for Plaintiff.
Mr. Mahesh Popatlal, Prop. Of Defendant present.

CORAM: S.J. KATHAWALLA, J.

DATE: 3rd JULY, 2018

P.C.:

1. Leave under Clause XIV of the Letters Patent is granted.
2. In addition to the prayer clauses already granted, there shall be an ad-interim relief in terms of prayer clause (b) of the Notice of Motion which is reproduced hereunder :

“(b) pending the hearing and final disposal of the Suit, the Defendant by themselves, their proprietor/partners, legal heirs, servants, agents, stockists, distributors, dealers, assignees and all those connected with the Defendant in their business be restrained by an order and injunction of this Hon'ble Court from manufacturing, marketing, distributing, selling and/or using in any manner whatsoever in relation to their detergent powder and/or any

other like goods used in the soap and detergent industry, the label mark of WINNER depicted under the impugned trade dress or any label mark and trade dress which is identical with and/or is deceptively similar to the Plaintiff's distinctive and prior used label mark and trade dress of its WHEEL label, so as to pass off their goods and business as and for the goods and business of the Plaintiff or in some way connected or associated therewith;"

3. Stand over to 10th July, 2018 for hearing and final disposal, subject to numbering.
4. On that day, the Defendant is directed to remain present before this Court.

(S.J.KATHAWALLA,J.)