

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.06.2018

Coram

THE HON'BLE MR.JUSTICE M.VENUGOPAL
&
THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.Nos.2357 & 2358 of 2012
and M.P.Nos.1 and 2 of 2012

New Hope Industries Pvt. Ltd.,
Chinna Sadayampalayam
Moolapalayam Post
Erode - 638 002.

.... Petitioner in
both W.Ps'

Vs.

1.Pioneer Bakeries (P.) Ltd.,
Poondurai Road
Moolapalayam P.O.,
Erode - 638 002.

2.The Intellectual Property Appellate Board
Annex I, 2nd Floor
Guna Complex,
No.443, Anna Salai
Teynampet
Chennai - 600 018.

... Respondents in
both W.Ps'

Petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the Order No.11 of 2012 dated 6th January 2012 passed by 2nd respondent allowing the 1st respondent's rectification applications ORA/134/2009/TM/CH and ORA/135/2009/TM/CH by directing petitioner's trade marks Milka Wonder Cake registered under No.732507 and 1242328 in class 30 to be rectified; quash the said order and uphold/confirm the validity of the petitioner's trademarks Milka Wonder Cake registered under No.732507 and 1242328 in class 30.

For Petitioner : Mr.Arun C Mohan
(In both W.Ps') for M/s.Rao & Reddy

For Respondents : Mr.T.G.Dinesh for
(In both W.Ps') Mr.T.V.Krishnamachari
No Appearance for R1

COMMON ORDER

(Order of the Court was made by M.VENUGOPAL, J.)

The Learned Counsel appearing for the Petitioner has made an endorsement in the present Writ Petitions to the effect that "as per Dispute Settlement Agreement (MOU) dated 26.03.2018, the Learned Counsel for the Petitioner may be permitted to withdraw these Writ Petitions".

2. Recording the aforesaid fact and the endorsement so made, the present Writ Petitions are dismissed as withdrawn. Consequently, connected miscellaneous petitions are also dismissed. No costs.

Sd/-
Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

vsm

+2cc to Mr.T.V.KRISHNAMACHARI,
Advocate, S.R.No.40555 & 40556

W.P.Nos.2357 & 2358 of 2012

TR(05/07/2018)

सत्यमेव जयते

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