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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 408/2018, IA Nos.9181/2001, 9850/2006, 8754/2018
THE FINANCIAL TIMES LTD.

..... Plaintiff

Through: Mr.Raghav Paul, Advocate.

versus

BENNETT COLEMAN & CO. LTD.

..... Defendant

Through: Mr.K.Datta and Mr.Manish
Srivastava, Advocates.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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01.08.2018

Both the parties moved the IA No.8754/2018 for withdrawal of the suit. The Plaintiff has filed this suit for perpetual injunction against trade mark infringement, passing off, rendition of accounts, damages and delivery up, *inter alia*, seeking to restrain the defendant, by itself, its servants, agents or anyone claiming under it by means of a perpetual injunction from using, in relation to any newspaper and/or any business connected or associated with the newspaper, publication, magazine or stationery the impugned trade mark "Financial Times" or any other mark identical with and/or deceptively similar and/or circulating a newspaper, having the title "Financial Times" or any other mark deceptively similar thereto as part of the newspaper "Times of India" so as to infringe the Plaintiffs registered trade mark "Financial Times" under No.468937 and/or passing off such newspaper, magazine or stationery as and for the Plaintiff's

newspaper, magazine or stationery bearing the trade mark "Financial Times".

It is submitted parties settled the matter in respect of subject matter of suit in terms of the agreement dated 09.04.2018 and in view thereof, the plaintiff wants to withdraw the suit. The learned counsel for the defendant has no objection in case the suit is withdrawn by the plaintiff.

Hence, the IA No.8754/2018 is allowed and the suit of the plaintiff along with pending application(s) is dismissed as withdrawn. No order as to costs.

YOGESH KHANNA, J

AUGUST 01, 2018

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