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

+ **CS(COMM) 665/2018 & I.A.Nos.2906-2908/2018**

HERMES INTERNATIONAL & ANR Plaintiffs

Through **Mr.Pravin Anand with Ms.Tusha
Malhotra and Ms.Rashi Punia,
Advocates.**

versus

MR. RIYAAZ NASRUDDIN AMLANI & ANR Defendants

Through **Ms.Shikha Sachdeva with Mr.Prabhat
Kalia, Advocates.**

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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28.02.2018

Present suit has been filed for infringement of trademark and copyright, passing off, disparagement, dilution, tarnishment, rendition of accounts, damages, delivery up, misappropriation etc.

Ms.Shikha Sachdeva, Advocate appears on caveat for the defendants. She states that without prejudice to the rights and contentions of the defendants, the defendants are willing to remove the offending marks, photographs and bags mentioned in para 10 of the present plaint within a period of two weeks.

In view of the aforesaid statement, Mr.Pravin Anand, learned counsel for the plaintiffs does not wish to press the present suit for any other relief(s).

The statements made by learned counsel for the parties are accepted by this Court and the parties are held bound by the same.

Consequently, the present suit is decreed in terms of the aforesaid statements. Registry is directed to prepare a decree sheet accordingly.

To avoid any confusion, para 10 of the plaint is reproduced hereinbelow:-

II. SUBJECT MATTER OF THE PRESENT SUIT

10. The subject matter of the present suit is :

Sr. No.	Subject Matter	
a.	Trademarks	○ <i>Hermes;</i> ○ HERMÈS; ○ <i>HERMES avec attelage also known as the duc-carriage-with-horse logo [] (hereinafter referred to as the “suit trademarks”)</i>
b.	Common law rights in the “Evelyne” bag	Proprietary rights in the shape, design and overall appearance constituting the trade dress of the bag 
c.	Copyright	In the photographs from the following advertising campaigns: ○ <i>Hermès en escapade</i> in 2006 

		○ <i>Orange Hermès et Rose Indien</i> in 1st semester of 2008 
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Registry is also directed to issue to the plaintiffs a certificate authorizing them to receive back from the Collector the full amount of the Court fee paid by them in the present suit.

With the aforesaid directions, present suit and pending applications stand disposed of.

MANMOHAN, J

FEBRUARY 28, 2018
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