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

+ **FAO 132/2018 & C.M.No.14061/2018**

R C PLASTO TANKS & PIPES PVT LTD. Appellant

Through: Mr. Sachin Puri, Senior Advocate with
Mr. Subhash Bhutora, Mr. Kamil Khan and
Mr. Manish Kumar, Advocates.

Versus

M/S PLASTO INDIA INDUSTRIES & ANR.Respondents

Through: Mr. K. K. Sharma, Senior Advocate with
Mr. Vikas Khera, Mr. Lalit A.,
Mr. Shoumita Shukla and Ms. Gagandeep
Chauhan, Advocates.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **13.04.2018**

The learned counsel for the parties states upon instructions that the lis has been amicably resolved as under:-

(i) the respondents shall not use the registered trademark of the appellant 'PLASTO', instead it will use the trademark 'PLAST **O** TUFF', wherein word '**O**' would be highlighted in bold so that it is clearly distinguishable between the words 'PLAST' and 'TUFF'.

ii) the respondents shall discontinue the use of the trademark 'PLASTO'. To accommodate the respondents to meet their existing and pressing orders from Government Departments, they will be permitted to use their existing die for 'PLASTO TUFF' for the next six weeks, within which period or prior thereto they will procure a new-dye and make arrangements for printing on their products their new brand name 'PLAST **O** TUFF';

iii) the respondents shall neither advertise nor procure any order under the registered trademark of the appellant 'PLASTO', or under their own erstwhile mark 'PLASTO TUFF', instead all fresh orders shall be procured and marketed under their new brand name:-

PLAST O TUFF

In view of the settlement, the impugned order is set aside.

The appeal alongwith pending application stands disposed off in the above terms.

NAJMI WAZIRI, J.

APRIL 13, 2018

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