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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 285/2017 & I.A. 12055/2015

DHARAMPAL PREMCHAND LIMITED Plaintiff

Through: Mr. Piyush Joshi, Advocate.

versus

LAXMI & CO (FLAVOURS) PVT LTD Defendant

Through: Mr. D.K. Yadav, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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16.01.2018

Present suit has been filed for permanent injunction restraining infringement of trade mark, trade dress and copyright, dilution and unfair competition.

On the last date of hearing, learned counsel for defendant had stated that the defendant does not plan to manufacture, sell and/or market the sachet of Elaichi. He had further stated that the defendant company was no longer in existence.

Today, learned counsel for defendant clarifies that the defendant is now a partnership firm which shall carry on its business of selling Pan Flavouring Material under the mark BOBBY MUKHBILAS. The packaging to be used by the defendant has today been handed over in Court and the same is taken on record.

In response to a pointed query, learned counsel for defendant states that defendant shall neither use the mark BOBBY nor the stylized form of 'B' alphabet as used by the plaintiff or any mark which is similar or deceptively similar to the plaintiff's mark.

In view of the aforesaid statements, learned counsel for plaintiff does not wish to press for any further relief in the present case.

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

Registry is directed to prepare a decree sheet accordingly.

With the aforesaid observations, present suit and pending application stand disposed of.

MANMOHAN, J

JANUARY 16, 2018

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