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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 335/2017**
DOMINOS IP HOLDER LLC Plaintiff
Through Mr.Sanchith Shivakumar, Adv.
versus
DOMINOZZ PIZZA Defendant
Through None

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **26.11.2018**

None has appeared for the defendant. No written statement has also been filed.

Present suit is filed by the plaintiff seeking permanent injunction, restraining infringement of trademark, passing off, dilution of trademarks, trade name, passing off etc. It has been pleaded that the plaintiff is the registered owner of the trademark 'Domino's Pizza' the word, trademark and label. The details of registration are given in paragraph 11 of the plaint. It is further pleaded that the defendant is using the mark DominoZZ Pizza which is phonetically and structurally almost a carbon copy of the trademark of the plaintiff.

Accordingly, a decree is passed under order 8 Rule 10 CPC in favour of the plaintiff and against the defendant in terms of para 32(a) and (b) of the plaint. Plaintiff shall also be entitled to damages of Rs.1,00,000/-. Plaintiff shall also be entitled to actual costs.

Suit stands disposed of. All pending applications, if any, also stand disposed of.

JAYANT NATH, J

NOVEMBER 26, 2018/n