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

+ **CS(COMM) 20/2018 & I.A.Nos.316-318/2018**

8MINUTENERGY RENEWABLES LLC

..... Plaintiff

Through Mr.Sandeep Sethi, Sr.Advocate with
Mr.Peeyoosh Kalra, Mr.C.A.Brijesh
and Ms.Shreyosi Pal, Advocates.

versus

8MINUTES FUTURE ENERGY PRIVATE LIMITED & ORS

..... Defendants

Through Mr.Gyanendra Kumar with
Ms.Pallavi Singh Rao, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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09.01.2018

Present suit has been filed for permanent injunction against passing off, infringement of copyright, unfair competition, rendition of accounts, damages and delivery up.

Today Mr. Gyanendra Kumar, Advocate, enters appearance on behalf of the defendants. He has handed over his *vakalatnama*, which is taken on record.

After some arguments, he states that the defendants within seven days from today shall file a letter withdrawing all their trademark applications for the mark '8minutes' and all its variations. He further states that the defendants shall withdraw their objections to

the plaintiff's trademark application within the said period.

Mr. Gyanendra Kumar, learned counsel for the defendants also states that within three months from today, the defendants shall issue a public notice in Hindi and English newspapers with national circulation publishing their intent and commencement of process to change the brand name of the defendants.

Learned counsel for the defendants lastly states that the defendants within nine months from today shall change their corporate name/trade name/trademark which resemble with the plaintiff's trademark/trade name '8minutenergy'. He states that the defendants will ensure that the impugned trademark/trade names do not appear on any third party website or e-commerce portal thereafter. He states that the defendants shall also within the said period change their domain names, email addresses as well as website and transfer their domain names to the plaintiff.

In view of the aforesaid statements and undertakings, learned counsel for the plaintiff assures and undertakes to this Court that the plaintiff shall not issue any press statement or press release regarding the present proceedings.

The statements and undertakings given by both the counsel 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 and undertakings. Registry is directed to prepare a decree sheet accordingly.

As a token of acceptance of today's order, learned counsel for the plaintiff, defendants as well as Director of defendant no.1

company who also happens to be a defendant no.4, are directed to sign the present order sheet.

Order *dasti*.

MANMOHAN, J

JANUARY 09, 2018

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