

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

**COMMERCIAL NOTICE OF MOTION (L) NO.1799 OF 2019
IN
COMMERCIAL IP SUIT (L) NO.820 OF 2019**

Royal Dryfruit Range Applicant

Vs.

Royal Taste Dry Fruits Defendant

Mr. Hiren Kamod a/w. Mr. Vaibhav Keni i/b. M/s. Legasis Partners for applicant/plaintiff.

Mr. Prasad Pathare i/b. Mr. Rajesh Bindra for defendant.

Mr. Bhopalsingh Rajpurohit- Proprietor of defendant present.

CORAM : K.R.SHRIRAM, J.

DATE : 3rd SEPTEMBER 2019

PC.:

1 Defendant - Royal Taste Dry Fruits is a sole proprietary concern of one Bhopalsingh Bhanwarsingh Rajpurohit. The said Mr. Rajpurohit has affirmed an affidavit dated 3rd September 2019, which is tendered by Mr. Pathare, in which the said Mr. Rajpurohit has undertaken to remove the mark "ROYAL" from the signboard and packaging material forthwith, undertaken to make other necessary changes in bank, records of Mumbai Municipal Corporation, Tax Authorities and Food Licensing Authorities within a period of 90 days from 3rd September 2019 and also undertaken to withdraw his trademark application within 7 days from today. Mr. Pathare states that though in the affidavit the said Mr. Rajpurohit has agreed to remove the mark "ROYAL" from the signboard and packaging material

forthwith, because of the Ganesh festival season requests for some time to remove the mark “ROYAL” from the signboard and packaging material until and including 15th September 2019. Mr. Kamod has no objection provided defendant strictly complied with this undertaking.

2 In the circumstances, the affidavit is taken on record. All statements are accepted as undertakings to this Court. All undertakings also accepted. Time upto and including 15th September 2019 is granted to remove the mark “ROYAL” from the signboard and packaging material.

3 Suit accordingly stands disposed with no order as to costs. Refund, if any of court fees in accordance with rules.

4 All interim applications stand disposed and all interim orders also stand vacated.

(K.R. SHRIRAM, J.)