

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

**COMMERCIAL IP SUIT (L) NO.1134 OF 2019
WITH
INTERIM APPLICATION NO.1 OF 2019**

Marico Limited	...	Plaintiff
Versus		
SGP Products Pvt. Ltd.	...	Defendant

.....

Mr. Vinod Bhagat a/w Ms. Ruchi Agarwal i/b G.S. Hegde & V.A. Bhagat for the Plaintiff.

Mr. Hiren Kamod a/w Mr. Gautam Panchal and Dishita Shah i/b Gautam & Co. for the Defendant.

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CORAM : S.C. GUPTE, J.

DATE : 18 DECEMBER 2019

P. C. :

. This commercial IP suit is in respect of infringement of registered trademark of the Plaintiff and also breach of its copyright in the artistic work of the trade dress or packaging materials used by it for marketing its goods. It also involves the cause of action of passing off. Learned Counsel for the parties tender Consent Terms, recording *inter alia* submission by the Defendant to a decree in terms of prayer clauses -(a) to (d) of the plaint and making appropriate provisions in that behalf. The consent terms are taken on record, marked 'X' for identification. The statements and undertakings

contained therein are accepted and the suit is decreed in terms of the consent terms. No order as to costs.

2 Refund of court fees in accordance with the applicable Rules.

3 Decree be drawn up accordingly.

4 In view of the disposal of the commercial IP suit, the Interim Application does not survive and is disposed of.

5 Court Receiver, High Court, Bombay, who was appointed as receiver with a view to seize offending goods, has carried out the mandate of the ad-interim order. The destruction/defacement of the packaging of the goods seized by court receiver has been duly provided for in the consent terms without involving the court receiver. Court receiver, accordingly, stands discharged without passing off accounts. Receiver's costs, charges and expenses shall be paid by the Plaintiff within weeks from the receipt of intimation in that behalf from the Receiver's office.

(S.C. GUPTE, J.)

Rajesh V.
Chittewan

Digitally signed by Rajesh V.
Chittewan
Date: 2020.01.10 17:32:45 +0530