

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1 OF 2019
IN
COM.IP SUIT (L)NO. 1108 OF 2019
WITH
LEAVE PETITION NO. 171 OF 2019**

Unilever Plc & Anr.

...Applicants

vs.

Manoj

...Respondent

Mr. Hiren Kamod a/w Ms. Niyati Dawalala i/b ALJ & Partners, for
Applicants.

Mr. D.N. Kher, Court Receiver.

CORAM : S.C. GUPTE, J.

DATE : 11 NOVEMBER 2019

P.C. :

1. This interim application has been moved by the original Plaintiffs in the commercial IP suit *inter alia* to direct the Court Receiver to take custody of counterfeit goods bearing the Plaintiffs registered trade marks listed in prayer clause (a). By an order dated 18 October 2019, apart from other reliefs, relief was granted in terms of prayer clause (d) of the notice of motion which required the Court Receiver, High Court, Bombay to attend and search the premises of the Defendants to make an inventory and seize the offending goods. The Court Receiver's representative was required to keep the seized goods under his lock and key at the Defendants' own premises.

2. Based on the Plaintiffs' experience in some other matters where similar seizures were tampered with by the respective defendants and where the Plaintiffs were forced to move against the defendants for

contempt of court as a result, learned Counsel for the Plaintiffs prays for alteration of the original ad-interim order passed on 18 October 2019. Learned Counsel submits that it is in the interest of justice that possession of goods under the lock and key of the Court Receiver may be handed over to the Plaintiffs. Learned Counsel undertakes on behalf of the Plaintiffs to keep the goods at a safe place under the lock and key of the Court Receiver. It is ordered accordingly.

3. Court Receiver's Report No. 224/19 is taken on record. Copies be made available to the contesting parties. Let copies be made available to the contesting parties.

4. Stand over to 26 November 2019.

(S.C. GUPTE, J.)