

**A.Nos.6145, 6146, 7355 & 7356 of 2015
and
O.A.Nos.250 & 251 of 2015
in
C.S.No.180 of 2015**

N.SATHISH KUMAR, J.

In O.A.Nos.250 and 251 of 2015, this Court vide order dated 26.03.2015, granted an order of interim injunction. Against the said order, Application Nos.7355 and 7356 of 2015 have been filed to vacate the interim injunction.

2.Application No.6146 of 2015 has been filed to punish the contemnors for disobedience of the order of injunction dated 26.03.2015.

3.Application No.6145 of 2015 has been filed to appoint an Advocate Commissioner to seize and textile goods, covers, bags, invoices, which are deceptively similar to that of the appellant/plaintiff's trade mark and trade name "KALANJIYAM CUT PIECE AND KALANJIYAM".

4.On perusal of the materials available on record, I do not find any reason to interfere with the order of interim injunction granted by this Court. In such view of the matter, all the applications are closed

N.Sathish Kumar, J.

and the interim injunction granted by this Court on 26.03.2015, is made absolute.

5.The following issues are being framed for consideration in the suit:-

- i. Whether the defendant is infringing copyright of the plaintiff?
- ii. Whether the plaintiff has acquiesced and waived his right to challenge?
- iii. Whether the word 'Kalanjiyam' is a generic name?
- iv. Whether the plaintiff can claim monopoly and ownership over the word 'Kalanjiyam', as it has neither been coined, nor invented by the plaintiff? and
- v. To what other reliefs?

6.Post the matter on 30.09.2019, under the caption 'for case management hearing'.

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