

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice KRISHNAN RAMASAMY

W.P.No.25451 of 2012

M/s.Karnataka Co-operative Milk
Producers Federation Limited,
KMF Complex, Hosur Road,
Bangalore - 560 029. ... Petitioner

Vs

- 1.The Intellectual Property Appellate
Board, 2nd Floor, Annexure I,
Guna Complex, No.443, Anna Salai,
Teynampet, Chennai - 18.
- 2.N.Anand & A.Narasimha Rupesh Anand
- 3.The Deputy Registrar of Trade Marks,
Trade Marks Registry,
Intellectual Property Rights
Building, G.S.T. Road,
Guindy, Chennai - 22. .. Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of certiorari to call for the records and quash the order dated 20.04.2010 in O.A.No.4 of 2008/TM/CH passed by the first respondent.

For Petitioner .. Ms.S.Indumathi Ravi

For Respondent-1 & 3.. Mr.R.Rajesh Vivekananthan

For Respondent-2.. T.K.Ramkumar

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

Challenging the order of the first respondent dated 20.04.2010, the present writ petition has been filed.

2.As fairly submitted by the learned counsel for the petitioner, the issue involved is already dealt with in a connected matter by the Apex Court in Civil Appeal Nos.2937 to 2942 of 2018 between the same parties. In the aforesaid order dated 26.07.2018, the Apex Court was pleased to reject the contention of the petitioner on the application filed under Section 29 of the Trade Marks Act.

3.In such view of the matter, the issue having already held against the petitioner, the writ petition stands dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Intellectual Property Appellate Board, 2nd Floor, Annexure I, Guna Complex, No.443, Anna Salai, Teynampet, Chennai - 18.

2.The Deputy Registrar of Trade Marks, Trade Marks Registry, Intellectual Property Rights Building, G.S.T. Road, Guindy, Chennai - 22.

+1cc to M/S.Indhumathi Ravi, Advocate Sr.2397
+1cc to M/S.Ram & Rajan Associates, Advocate Sr.2212
+1cc to Mr.R.Rajesh Vivekananthan, Advocate Sr.1343

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vsn ii[co]
srg 5/3/2019