

1st March,
2021
(AK)
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W.P.A. 3066 of 2020
With
IA No: CAN 1 of 2021

Three Leaves India Private Limited & Anr.
Vs.
Union of India & Ors.

Mr. Sayantan Basu
Mr. Tanmoy Ray
Mr. Abhiroop Dhar
...For the Petitioners.

Mr. Rabi Prasad Mookherjee
Mr. Siddhartha Lahiri
...For the Respondent.

Affidavit-of-service filed in court today be kept on record.

The petitioners allege that, despite no O-3 notice having been issued to the petitioners, the trade mark of the petitioner was likely to be removed due to non-filing of renewal request, as per the reasons given by the respondent authorities.

Learned senior counsel submits that not only is the O-3 notice mandatory, but the petitioner also made several representations for renewal of the trade mark, despite which such finding has been uploaded in the relevant website.

After hearing both sides, it appears that it would suffice in the respondent authorities are directed to consider the renewal application of the petitioner in

accordance with law and decide on the same expeditiously.

Accordingly, W.P.A. 3066 of 2020 is disposed of by directing the respondent nos.4 and 5 to consider, in accordance with law, the application of the petitioner dated March 17, 2015 for renewal of registration of the trade mark bearing no.651615 expeditiously, positively within four weeks from date, and to intimate the decision thereon to the petitioners at the earliest thereafter.

CAN 1 of 2021 is also disposed of consequentially.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)