



WEB COPY

Cont.P.No.1165 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2021

C O R A M

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

Cont.P.No.1165 of 2009

Umaid Mohonot,
Proprietor,
M/s.Jay Plastic Company,
No.5, Charles Campbell Road,
Cox Town, Bangalore - 560 005

... Petitioner

Vs.

1. Union of India,
through Secretary,
Ministry of Industries,
Udyog Bhavan,
New Delhi.
2. Mr.G.L.Verma,
Assistant Registrar of Trade Marks and GI,
Trade Marks Registry,
IP Building, GST Road, Guindy,
Chennai 600 032.
3. Mr.P.H.Kurian,
Controller General of Patents Designs and Trade Marks,
O/o.The Controller General of Patents,
Designs and Trade Marks,
Intellectual Property Bhavan,
Near Antop Hill Head Post Office,
S.M.Road, Antop Hill,
Mumbai 400 037.
4. Mr.S.B.Kale,
Examiner of Trade Marks, Mumbai,
Government of India,



Cont.P.No.1165 of 2009

(Office-In-Charge of Copyright Section),
Office of the Controller General
Patents, Designs and Trade Marks,
Boufhik Sampada Bhavan,
Near Antop Hill Head Post Office,
S.M.Road, Antop Hill,
Mumbai 400 037.

... Respondents

PRAYER: Petition filed under Section 11 of Contempt of Courts Act, 1971 to hold the respondent Nos.2,3 and 4 guilty of Contempt of Court and punish them for wilfully disobeying and interfering with the orders dated 26th August 2009 and 21st October 2009 in M.P.No.1 of 2009 in W.P.No.17350 of 2009.

For Petitioner
For Respondent

:Ms.Chandini Pradeep Kumar
:Mr.V.T.Balaji, CGSC

ORDER

This Contempt Petition has been filed on the ground that despite an interim stay granted by this Court on 26.08.2009 in M.P.No.1,1 and 1 of 2009 in W.P.Nos.17349 to 17351 of 2009, the respondents have issued one more show cause notice on 21.10.2009.

3. Mr. V.T.Balaji, learned Central Government Standing Counsel appearing for the respondents would submit that the show cause notice dated 21.10.2009 issued by the third respondent pertains to a different Trade Marks registration, which was not the subject matter of W.P.Nos.17349 to 17351 of 2009.

He has also placed before this Court a communication dated 18.11.2009 issued by

<https://hcservices.ecourts.gov.in/hcservices/>



Cont.P.No.1165 of 2009

the Trade Marks Registry with the copy marked to the petitioner as well as the petitioner's counsel, wherein, they have stated that the show cause notice dated 26.10.2009, which is the subject matter of this Contempt Petition, has been withdrawn.

4. Since the show cause notice has already been withdrawn and further the said show cause notice relates to another Trade Marks registration, the Contempt Petition is not maintainable.

5. Accordingly, the Contempt Petition is closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

srn

//Certified to be true copy//

Dated at Madras this day of 2022.

COURT OFFICER(O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

Gs/08/06/2021

To

1. Union of India,
through Secretary,
Ministry of Industries,
Udyog Bhavan,
New Delhi.



Cont.P.No.1165 of 2009

2. The Assistant Registrar of Trade Marks and GI,
Trade Marks Registry,
IP Building, GST Road, Guindy,
Chennai 600 032.

3. The Controller General of Patents Designs and Trade Marks,
O/o.The Controller General of Patents,
Designs and Trade Marks,
Intellectual Property Bhavan,
Near Antop Hill Head Post Office,
S.M.Road, Antop Hill,
Mumbai 400 037.

4. The Examiner of Trade Marks, Mumbai,
Government of India,
(Office-In-Charge of Copyright Section),
Office of the Controller General
Patents, Designs and Trade Marks,
Boufhik Sampada Bhavan,
Near Antop Hill Head Post Office,
S.M.Road, Antop Hill,

Mumbai 400 037.