

IN THE HIGH COURT AT CALCUTTA
ORIGINAL SIDE

IPDATM/1/2022
M/S AURIO PHARMA LABORATORIES PVT LTD (ORA/99/2009/TM/KOL)
VS
M/S EASTERN DRUG

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 13th March, 2023.

Appearance:

Mr. Sayantan Basu, Adv.

Mr. A. Chandra, Adv.

Mr. Tanmoy Roy, Adv.

Mr. K. Mukherjee, Adv.

The Court:- This is an application for rectification and for removal of the entry of the respondent from the Register of Trade Marks.

It is submitted on behalf of the respondent who was the registered proprietor that with the passage of time, there has been no application for renewal filed on behalf of the respondent registered proprietor and the registration in favour of the respondent stands abandoned.

Both parties fairly submit that in view of the subsequent events this application has become infructuous and no purpose would be served in keeping this application pending.

In such circumstances, IPDATM/1/2022 stands disposed of as infructuous.

The Registry is directed to take necessary steps for removal of the Trade Mark No. 1051528 dated 12th October, 2001.

(RAVI KRISHAN KAPUR, J.)