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A.No.1490 of 2023
in
C.S(Comm Div)No.310 of 2014

S.SOUNTHAR, J.

The instant A.No.1490 of 2023 has been filed by the plaintiff seeking amendment of the plaint.

2. The applicant has filed the suit seeking the relief of injunction restraining respondent from infringing the applicant's trade mark "CYCLE" Brand. It is also stated by the applicant at that time of filing of the suit, his application for registration of trade mark was pending before Registrar of the trade marks. Subsequent to filing of the suit, the application of the applicant before the Registrar of trade marks was allowed. Registration was granted in favour of the applicant, under class 34 pertaining to safety measures. Due to subsequent registration of the trade mark "CYCLE" Brand, it has become necessary for the plaintiff to incorporate certain averments with regard to the subsequent registration of the trade mark in paragraph 7 of the plaint.



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S.SOUNTHAR, J.

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3. The learned counsel appearing for the sole defendant has no objection.

4. Having satisfied with the reasons assigned in the affidavit filed in support of this application, the amendment application A.No.1490 of 2023 is allowed. The plaintiff is directed to file amended plaint on or before 23.03.2023.

16.03.2023

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