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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(T)OP(TM)/1, 156 to 161/2023
(ORA/10/2005, 272 to 277/2014/TM/CHN)

(T)OP(TM)/1/2023

Praveen Malhotra Trading as
Parth Trading Company
212-213, Gali Lohara, Ajmeri Gate, Delhi 110 006. ... Petitioner

-vs-

1.The Registrar of Trade Marks
New Delhi.

2.Carborundum Universal Limited
TIAM House, 28, Rajaji Salai,
Chennai 600 001.

... Respondents

(T)OP(TM)/156 to 161/2023

Praveen Malhotra Trading as
Parth Trading Company
212-213, Gali Lohara, Ajmeri Gate, Delhi 110 006. ... Petitioner

-vs-

Carborundum Universal Limited
TIAM House, 28, Rajaji Salai,
Chennai 600 001.

... Respondent



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PRAYER in (T)OP(TM)/1/2023: Transfer Original Petition (Trade Marks) filed under Sections 47, 57, 125 of the Trade Marks Act, 1999, praying that this Hon'ble Court in the interest of justice, equity and good conscience cancel the registration of the impugned mark “CARBORUNDUM UNIVERSAL” registered as Trade Mark No. 1149973 in Class 8 by allowing this rectification and declaring the mark to be generic and common to trade and the cost of the proceeding should also be awarded in favour of the petitioner.

PRAYER in (T)OP(TM)/156/2023: Transfer Original Petition (Trade Marks) filed under Sections 47, 57, 125 of the Trade Marks Act, 1999, praying that this Hon'ble Court in the interest of justice, equity and good conscience cancel the registration of the impugned mark “CARBORUNDUM UNIVERSAL” registered as Trade Mark No. 1149967 in Class 01 by allowing this rectification and declaring the mark to be generic and common to trade and the cost of the proceeding should also be awarded in favour of the petitioner.

PRAYER in (T)OP(TM)/157/2023: Transfer Original Petition (Trade



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Marks) filed under Sections 47, 57, 125 of the Trade Marks Act, 1999, praying that this Hon'ble Court in the interest of justice, equity and good conscience cancel the registration of the impugned mark "CARBORUNDUM UNIVERSAL" registered as Trade Mark No. 1149965 in Class 03 by allowing this rectification and declaring the mark to be generic and common to trade and the cost of the proceeding should also be awarded in favour of the petitioner.

PRAYER in (T)OP(TM)/158/2023: Transfer Original Petition (Trade Marks) filed under Sections 47, 57, 125 of the Trade Marks Act, 1999, praying that this Hon'ble Court in the interest of justice, equity and good conscience cancel the registration of the impugned mark "CARBORUNDUM" registered as Trade Mark No. 1149971 in Class 01 by allowing this rectification and declaring the mark to be generic and common to trade and the cost of the proceeding should also be awarded in favour of the petitioner.

PRAYER in (T)OP(TM)/159/2023: Transfer Original Petition (Trade Marks) filed under Sections 47, 57, 125 of the Trade Marks Act, 1999,



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praying that this Hon'ble Court in the interest of justice, equity and good conscience cancel the registration to the impugned mark "CARBORUNDUM" registered as Trade Mark No. 1149972 in Class 03 by allowing this rectification and declaring the mark to be generic and common to trade and the cost of the proceeding should also be awarded in favour of the petitioner.

PRAYER in (T)OP(TM)/160/2023: Transfer Original Petition (Trade Marks) filed under Sections 47, 57, 125 of the Trade Marks Act, 1999, praying that this Hon'ble Court in the interest of justice, equity and good conscience cancel the registration of the impugned mark "CARBORUNDUM UNIVERSAL" registered as Trade Mark No. 1149974 in Class 19 by allowing this rectification and declaring the mark to be generic and common to trade, the cost of the proceeding should also be awarded in favour of the petitioner.

PRAYER in (T)OP(TM)/161/2023: Transfer Original Petition (Trade Marks) filed under Sections 47, 57, 125 of the Trade Marks Act, 1999, praying that this Hon'ble Court in the interest of justice, equity and



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good conscience cancel the registration to the impugned mark
“CARBORUNDUM” in Trade Mark No.1149968 in Class 19 by
allowing this rectification and declaring the mark to be generic and
common to trade and the cost of the proceeding should also be
awarded in favour of the petitioner.

For Petitioner : No Appearance
in all OP's

For Respondent : Mr.Arun C.Mohan
in (T)OP(TM)/156 to 161/2023

For Respondent 1 : Mr.K.Subbu Ranga Bharathi
in (T)OP(TM)/1/2023

For Respondent 2 : Mr.Arun C.Mohan
in (T)OP(TM)/1/2023

COMMON ORDER

These petitions are listed today under the caption "for
dismissal" because the petitioner remained unrepresented at the
hearing on 06.11.2023 in spite of notice being served on the petitioner



on 22.08.2023, as per the bailiff's report. At today's hearing, the petitioner continues to remain unrepresented.

2. Consequently, (T)OP(TM)/1, 156 to 161/2023 are dismissed for non-prosecution without any order as to costs.

16.11.2023

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Index : Yes / No

Internet : Yes / No

Neutral Citation: Yes / No



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(T)OP(TM)/1, 156 to 161/2023
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