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(T)OP(TM)/53 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(T)OP(TM)/53 of 2023
(ORA/282/2012/TM/CH)

Cadbury India Limited
Cadbury House,
19, Bhulabhai Desai Road,
Mumbai - 400 026, India.

... Petitioner

-VS-

1.Gomathi Suresh
46, Bheemanna Gargen Street,
Abhirampura, Chennai - 600 018.

2.The Registrar of Trade Marks
Office of the Trade Marks Registry
Boudhik Sampada Bhavan
Near Antop Hill Head Post Office, S.M.Road
Antop Hill, Mumbai - 400 037.

3.The Registrar of Trade Marks (Chennai)
Intellectual Property Rights Building, Industrial Estate,
SIDCO RMD Godown Area,
G.S.T.Road, Guindy,
Madras, Chennai 600 032, India.

... Respondents

PRAYER: Transfer Original Petition (Trademarks) filed under Sections 47, 57, 125 of the Trademarks Act, 1999, pleased to expunge the registered trade mark No.1050346 by its removal from the register.



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(T)OP(TM)/53 of 2023

SENTHILKUMAR RAMAMOORTHY,J

rna

For Petitioner : Mr.Nancy Roy for M/s.Lall and Sethi
For Respondent 1 : Ms.Pushpalatha for M/s.Altacit Global
For Respondent 2 : Notice service awaited
For Respondent 3 : Notice served

ORDER

Learned counsel for the first respondent submits, on instructions, that Trademark No.1050346 expired on 08.10.2021. In view thereof, no adjudication is necessary in this petition.

2. By recording the same, (T)OP(TM)/53 of 2023 is dismissed as infructuous without any order as to costs, by granting leave to the petitioner to re-apply in case the mark is restored.

27.06.2023
(1/2)

rna

Index : Yes / No

Internet : Yes / No

(T)OP(TM)/53 of 2023
(ORA/282/2012/TM/CH)