



(T)OP(TM)/88/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(T)OP(TM)/88/2023
(ORA/133/2013/TM/CHN)

Marico Limited
3rd Floor, Plot. No.5, DDA Local Shopping
Center, Okhla Commercial complex, Phase-II,
New Delhi-110020.

... Petitioner

-VS-

1.Mathewsons Exports and Imports Pvt.Ltd
Mathewsons Building, Kaloor, Cochin-682017.

2.The Deputy Registrar
Intellectual Property Appellate Board,
Annexe-I, Guna Complex, IInd Floor,
443, Anna Salai, Teynampet, Chennai-600 018.

... Respondents

PRAYER: Transfer Original Petition (Trademarks) filed under Sections 47, 57, 124 and 125 of the Trademarks Act, 1999, prays that the impugned mark “KASTHOORI MANJAL” under registration No.1451234 in classes 03 and 05 may be removed/expunged from the Register of Trademarks.



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For Petitioner : Mr.Sumitwadhwa
for M/s.Lall Lahiri and Salhotra

For Respondent 1 : Mr.A.Swaminathan

For Respondent 2 : Mr.M.Karthikeyan

ORDER

Learned counsel for the petitioner submits that Trade Mark No.1451234 was renewed only up to 26.04.2016. He has produced a document indicating the status of registration. Mr.A.Swaminathan, learned counsel for the 1st respondent, agrees that the registration was not renewed after 26.04.2016. Since the long stop date for renewal and even restoration has expired, the entry relating to Trade Mark No. 1451234 is liable to be removed.

2. Accordingly, (T)OP(TM)/88 of 2023 is disposed of by directing the 2nd respondent to remove the entry relating to Trade Mark No.1451234 in classes 03 and 05 from the register of trademarks. This exercise shall be carried



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out within a period of four weeks from the date of receipt of a copy of this order. This order is without prejudice to the rights of the contesting parties in other proceedings pending before this Court. There shall be no order as to costs.

03.08.2023

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Index : Yes / No

Internet : Yes / No



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SENTHILKUMAR RAMAMOORTHY,J

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