



(T)OP(TM)162/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

D A T E D : 15.06.2023

CORAM

THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

(T)OP(TM)162/2023
ORA/297/2014/TM/CH

1. Burger King Restaurant Pvt. Limited,
99/C, Rosewood Chambers,
Tulsiwadi, Tardeo, Mumbai-400 034.

2. Smt.Nalini Shewakramani
15 A, Sett Minar, Peddar Road,
Mumbai-400 026, Maharashtra

... Petitioners

vs.

1. Burger King Corporation,
5505, Blue Lagoon Drive,
Miami, Florida 33126,
United States of America.

2. The Registrar of Trade Marks,
Trade Marks Registry,
IPR Building, GST Road,
Guindy,
Chennai-600 032

... Respondents

PRAYER: Petition for removal of Trade Mark from the Register or Rectification of the Register under Sections 47 and 57 read with other provisions of the Trade Marks Act, 1999, namely, Sections 9, 11 and 18 of the said Act praying to pass order for expunging/cancelling the registered trade mark “BURGER KING” (label) bearing No.927122 in Class-30 as registered in the name of Burger King Corporation of United States of



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SENTHILKUMAR RAMAMOORTHY, J

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For Petitioner : Ms.Disha, for
M/s.Jehangir Gulabhai and Bilimoria
and Daruwalla
For Respondents : Mr.Raunaq Kamath for
M/s.Mukul Kochhar for R1

ORDER

The letter submitted by learned counsel for the petitioner before the Intellectual Property Appellate Board (IPAB) has been placed before me. By the said letter, the petitioner has informed the IPAB about the execution of a settlement agreement dated 17.05.2019 between certain parties and has requested that the petitioner may be permitted to withdraw the rectification proceedings pertaining to Trade Mark No.927122 in Class-30.

2. By taking note of the above, (T)OP(TM) No.162 of 2023 is dismissed as withdrawn without any order as to costs.

15.06.2023

Index : Yes/No

Neutral Citation : Yes/No

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