



WEB COPY



(T)OP(TM) No.169 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2023

CORAM

**THE HONOURABLE MR.JUSTICE SENTHILKUMAR
RAMAMOORTHY**

(T)OP(TM) No.169 of 2023
(ORA/79/2015/TM/CH)

Jupiter Drugs
Partnership Concern,
Represented by its Managing Partner
Mr.C.P.Kuriakose
No/12/66, Main Road,
Irinjalakuda-680 121,
Thrissur, Kerala.

...Petitioner

Vs.

1.Mrs.M.Sarojini Proprietrix,
MS.MEHCEC Labs,
No.200, M.E.I. Colony,
Peenya Third Phase,
Bangalore – 560 058.

2.The Deputy Registrar of Trademarks,
Trademarks Registry,
IP Building, G.S.T. Road,
Guindy.

...Respondents



(T)OP(TM) No.169 of 2023

Prayer: Transfer Original Petition (Trademarks) filed under Sections 47(1)(a)(2)(b), 57(2)(3) and 125(1) of Trademark Act, 1999 praying that the registered label Trademark “ZIPROVIT” with Trademark No.1306475 in Class 05 in the name of Mrs.M.Sarojini be expunged or removed or limited to the State of Karnataka as per the provisions laid down.

For Petitioner	:	No Appearance
For R1	:	Mr.Arun C.Mohan
For R2	:	Mr.S.Janarthanam Senior Panel Counsel

ORDER

The bailiff's report dated 26.07.2023 stated that notice could not be served on the petitioner because the petitioner is no longer functioning at the address specified in the petition. By a separate report, the bailiff has stated that notice was served on learned counsel for the petitioner on 26.07.2023. In the absence of an alternative address for service, the petitioner cannot be served and, consequently, this petition cannot be proceeded with.



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WEB COPY 2. In view of these developments, (T)OP(TM) No.169 of 2023 is dismissed for non-prosecution without any order as to costs.

08.09.2023

Index:No
Speaking order
Neutral Citation:No
hvk

To

The Deputy Registrar of Trademarks,
Trademarks Registry,
IP Building, G.S.T. Road,
Guindy.



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SENTHILKUMAR RAMAMOORTHY,J.

hvk

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