



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.10.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(T)OP(TM)/172/2023
(ORA/129/2015/TM/CHN)

M/s.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,
#.200, M.E.I.Colony, Peenya Third Phase,
Bangalore - 560 009.

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

... Respondents

PRAYER: Transfer Original Petition (Trademarks) filed under
Sections 47, 57, 125 of the Trade Marks Act, 1999, praying that the
registered label Trade Mark "ZIPROVIT" with Trade Mark



No.2100182 in Class 30 in the name of Mrs.M.Sarojini be expunged or removed or limited to the State of Karnataka.

For Petitioner : No Appearance

For Respondent 1 : Mr.Arun C.Mohan
for M/s.Harikrishna Holla

For Respondent 2 : Mr.M.Karthikeyan, SPC

ORDER

At the hearing on 04.10.2023, learned counsel for the second respondent was directed to verify whether any change of address was communicated by the petitioner to the Trade Marks Registry in relation to the trade mark ZIPROVIT under Trade Mark No.1631278.

2. At the hearing today, learned counsel for the second respondent has placed on record the current status of registration of the trade mark ZIPROVIT. From the document, it is evident that the last registration was valid up to 14.12.2017. As such, it appears that the petitioner may no longer be a person aggrieved. In any event, in



the absence of an alternative address for service of notice on the petitioner, it is not possible to proceed any further with this petition.

3. Consequently, (T)OP(TM)/172/2023 is dismissed for non-prosecution without any order as to costs.

11.10.2023

rna
Index : Yes / No
Internet : Yes / No
Neutral Citation: Yes / No



WEB COPY



SENTHILKUMAR RAMAMOORTHY,J

rna

(T)OP(TM)/172/2023
(ORA/129/2015/TM/CHN)

11.10.2023