



WEB COPY

(T)OP(TM).Nos.194 & 195 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2023

CORAM

**THE HONOURABLE MR.JUSTICE SENTHILKUMAR
RAMAMOORTHY**

(T)OP(TM).Nos.194 & 195 of 2023
(ORA/11, 12/2016/TM/CH)

DXN Holdings BHD,
Wisma DXN, 213, Lebuhraya,
Sultan Abdul Halim, 05400,
Alor Setar, Kedah Darul Aman,
Malaysia

...Petitioner in both petitions

Vs.

1.DAEHSAN Trading (India) Pvt. Ltd.,
No.1-A and B, First Floor, B-Block,
114, Thiagaraya Road,
T.Nagar, Chennai - 600017,
Tamil Nadu.

2.The Registrar of Trade Marks,
Trade Marks Registry, Guindy,
Chennai – 600032.

...Respondents in both petitions

Prayer in (T)OP(TM) No.194 of 2023: Transfer Original Petition (Trademarks) filed under Sections 57 of Trade Marks Act, 1999 praying to order removal of impugned Trademark No.1037380 in Class 30 from the register.



Prayer in (T)OP(TM) No.195 of 2023: Transfer Original Petition (Trademarks) filed under Sections 57 of Trade Marks Act, 1999 praying to order removal of impugned Trademark No.1037379 in Class 30 from the register

For Petitioners : Ms.Y.K.Aiswarya
(in both petitions) for M/s.Surana and Surana
International Attorneys

For R2 : Mr.A.R.Sakthivel,
(in both petitions) Senior Panel Counsel

COMMON ORDER

Learned counsel for the petitioner has placed on record a memo annexing the status of Trade Mark Nos.1037379 and 1037380. The relevant documents indicate that the last registration of these marks was valid up to 16.08.2021. On the previous hearing, learned counsel had filed a memo dated 04.08.2023 stating that the first respondent is under liquidation as per MCA records. The Company Master Data Sheet indicating that the company is under liquidation was also placed on record. In view of these developments, these petitions have been rendered infructuous.

2. By taking note of the above, (T)OP(TM) Nos.194 and 195 are dismissed as infructuous without any order as to costs. It is open to the



(T)OP(TM).Nos.194 & 195 of



petitioner to take necessary steps for removal of the relevant marks from the
Register of Trade Marks.

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22.08.2023

Index:No
Speaking order
Neutral Citation:No
hvk

To

The Registrar of Trade Marks,
Trade Marks Registry, Guindy,
Chennai – 600032.



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SENTHILKUMAR RAMAMOORTHY,J.

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