



(T)OP(TM)/228/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(T)OP(TM)/228/2023
(ORA/103/2016/TM/CHN)

India International Technical Institute,
H-46, Tagore Path,
Bani Park, Jaipur, Rajasthan.

... Petitioner

-VS-

1. TERALA EDUCATIONAL SOCIETY
H.No.23-70/2, Netaji Nagar,
Saroor Nagar, Hyderabad-35,
Andhra Pradesh.

2.Registrar of Trade Marks,
Trade Marks Registry,
Intellectual Property Bhavan,
Annex-I, Guna Complex,
II floor, No.443, Anna Salai,
Teynampet, Chennai-600 018.

... Respondents

PRAYER: Transfer Original Petition (Trademarks) filed under Sections 47, 57 & 125 of the Trade Marks Act, 1999, and Rule 92 of the Trade Marks Rules, 2002, praying for removal of the registered Trade Mark



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"SANSKRITI" under No.1940197 of the 1st respondent from the Register of Trade Marks and to expunge the impugned entry from the Register of Trade Marks.

For Petitioner : Ms.S.Suba Shiny
for M/s.G.D.Bansal and Associates

For R1 : No appearance

For R2 : Mr.R.Rajesh Vivekananthan, DSG

ORDER

Learned counsel for the petitioner placed on record an affidavit of service dated 11.09.2023. The track consignment report annexed thereto indicates that notice was served on the 1st respondent on 06.09.2023. Therefore, the Registry was directed to print the name of the 1st respondent in the cause list for subsequent hearings. In spite of the 1st respondent's name being printed in the cause list, the 1st respondent remains unrepresented.

2. Learned counsel for the petitioner has placed on record the current status of the device mark of the 1st respondent. The document indicates that the last registration was valid up to 23.03.2020. Since the long stop date for



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renewal has long expired, all that remains, is, the removal of the mark from the register.

3. Therefore, (T)OP(TM)/228/2023 is disposed of by directing the Registrar of Trade Marks to cancel the certificate of registration relating to Trade Mark No.1940197 and remove the entry relating thereto from the Register of Trade Marks. These actions shall be completed within a period of one month from the date of receipt of a copy of this order. There shall be no order as to costs.

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Index : Yes / No

Internet : Yes / No

Neutral Citation: Yes / No

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