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(T)OP(TM).No.258 of

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2023

CORAM

**THE HONOURABLE MR.JUSTICE SENTHILKUMAR
RAMAMOORTHY**

(T)OP(TM).No.258 of 2023
(ORA/12/2018/TM/CH)

Mankind Pharma Limited,
208, Okhla Industrial Estate,
Phase 3, New Delhi – 110 020.

...Petitioner

Vs.

1.Genova Biotechniques Pvt. Ltd.,
11-6-56C, Moosapet,
Opp. Idpl Factory,
Hyderabad – 500 037.

2.Registrar of Trademarks,
Trademark Registry,
Intellectual Property Building,
G.S.T. Road, Guindy,
Chennai – 600 032.

...Respondents

Prayer: Transfer Original Petition (Trademarks) filed under Sections 47, 57 and 125 of Trademark Act, 1999 praying to remove the Trade Mark No.2050304 of November 08, 2010 for the mark 'PSO KIND' in Class 05 from the Register.



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For Petitioner : Mr.G.S.Kanagavel
for M/s.Daswani and Daswani
For R2 : Mr.A.R.Sakthivel
Senior Panel Counsel

ORDER

At the hearing on 05.07.2023, it was recorded that service was effected on the first respondent on 15.06.2023. In spite of service of notice and the name of the first respondent being printed on the cause list, there is no representation for the first respondent at today's hearing.

2. Learned counsel for the petitioner has placed before me the status of Trade mark No. 2050304 in Class 5. The registration was renewed up to 08.11.2020 but not thereafter. Consequently, the time limit for renewal and even restoration has lapsed.

3. In these circumstances, (T)OP(TM) No.258 of 2023 is disposed by directing the second respondent to cancel the certificate of registration and remove the entry relating to Trade Mark No.2050304 from the Register of



(T)OP(TM).No.258 of

Trade Marks. This exercise shall be completed within a period of four weeks
from the date of receipt of a copy of this order.

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10.08.2023

Index:Yes/No
Speaking order/Non-speaking order
Neutral Citation:Yes/No
hvk

To

The Registrar of Trademarks,
Trademark Registry,
Intellectual Property Building,
G.S.T. Road, Guindy,
Chennai – 600 032.



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SENTHILKUMAR RAMAMOORTHY,J.

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