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(T)CMA(TM)/4/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:03.08.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(T)CMA(TM)/4/2023
ORA/133/2013/TM/CHN

M/s. Malar Publications Ltd.,
Represented by its Director,
No.1091, Periyar E.V.R.High Road,
Chennai – 600 007.
Tamil Nadu

... Appellant

-vs-

1.M/s.Malar Network Private Limited,
No.8, Sambandham Street,
G.N.Chetty Road,
Chennai – 600 017.

2.The Deputy Registrar of Trade Marks,
Trade Marks Registry,
I.P.Bhavan,
G.S.T.Road,
Guindy, Chennai – 600 032.

... Respondents

PRAYER: Transferred Civil Miscellaneous Appeal (Trademarks) filed under Sections 91 of the Trade Marks Act, 1999, prays (1) to set aside/quash the impugned order dated 29.03.2010 passed by the respondent No.2 in the Opposition No.MAS-719707 to application No.1066201 in class 9 allowing the application to proceed further.



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For Petitioner : Mr.A.Swaminathan
for M/S.S.Balachandran, K.Rajasekaran
and T.K.Anuradha

For Respondent 1 :M/s.Perumbulavil Radhakrishnan
and Sruti Radhakrishnan

For Respondent 2 : Mr.C.Samivel
Senior Panel Counsel

ORDER

Learned counsel for the appellant has filed a memo dated 03.08.2023. Annexed thereto is a document indicating the status of trade mark No.1066201. The document indicates that the registration of the said trademark was renewed only up to 11.12.2011. The 2nd document annexed to the memo is a document from the Ministry of Corporate Affairs indicating that Malar Network Private Limited was struck off from the register of companies and stands dissolved.

2. In these circumstances, no adjudication is necessary in this appeal. Therefore, (T) CMA(TM)/4 of 2023 is disposed of by directing the 2nd respondent to remove the entry relating to trade mark No.1066201 in class 9



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from the register of trademarks. This exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order without any order as to costs.

03.08.2023

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Index : Yes / No

Internet : Yes / No



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SENTHILKUMAR RAMAMOORTHY,J

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