



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(T)CMA(TM)/22/2023
(OA/18/2012/TM/CHN)

M/s. Silver Oak (India) Limited
1st Floor, AA-14 Scheme No. 54, Vijay Nagar ,
(Opposite Satya Sai School),
A.B. Road, Indore 452 010, Madhya Pradesh.

... Appellant

-vs-

1.Rhizome Distilleries Pvt Ltd.,
3-5-152/1 Narayanguda,
Hyderabad 500 029,
Andhra Pradesh.

2.Deputy Registrar of Trade Marks
Office of the Trade Marks Registry,
Intellectual Property Office Building,
G.S.T. Road, Guindy,
Chennai 600 032.

... Respondents

PRAYER: Transfer Civil Miscellaneous Appeal (Trade Marks) filed
under Section 91 of the Trade Marks Act, 1999, praying that the



impugned order dated December 23, 2011 which was passed by Respondent No.2 be set aside and the opposition under no. MAS -716432 be decided in favour of the Appellant and against Respondent No.1.

For Appellant : No Appearance

For Respondent 1 : No Appearance

For Respondent 2 : Mr.M.Karthikeyan, SPC

JUDGMENT

This appeal was originally filed before the Intellectual Property Appellate Board by M/s.Ranjan Narula Associates, learned counsel, on behalf of the appellant. At the hearing on 04.07.2023, M/s.Ranjan Narula Associates reported that they have no instructions. Upon issuance of notice to the appellant, the bailiff's report recorded that the appellant could not be located at the address specified in the cause title. In those circumstances, learned counsel for the Registrar



of Trade Marks was directed to ascertain whether a change of address was communicated by the appellant to the Trade Marks Registry. In the opposition proceedings lodged by the appellant, only the address of the counsel for the appellant and no other address is indicated. In these circumstances, it is not possible to proceed further with this appeal.

2. Hence, (T)CMA(TM)/22/2023 is dismissed for non-prosecution without any order as to costs.

12.12.2023

rna

Index : Yes / No

Internet : Yes / No

Neutral Citation: Yes / No



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SENTHILKUMAR RAMAMOORTHY,J

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