



(T)CMA(TM)/28/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(T)CMA(TM)/28/2023
(OA/29/2013/TM/CHN)

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

... Appellant

-vs-

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

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

... Respondents

PRAYER: Transfer Civil Miscellaneous Appeal (Trademarks) filed under Section 91 of the Trademarks Act, 1999, praying this Court that the impugned order dated 04.07.2012, which was passed by the 2nd respondent, be set aside; the Opposition No.MAS-716434 be decided in favour of the appellant and against 1st respondent.

For Appellant : No appearance



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For R1 : No appearance

For R2 : Mr.M.Karthikeyan, SPC

JUDGMENT

On 07.11.2023, learned counsel for the Registrar of Trade Marks was directed to ascertain and report on the status of registration of Trade Mark No.1116900 in Class 33. He submits that the said trade mark has been removed from the Register of Trade Marks. (T)CMA(TM)/28/2023 was filed impugning the rejection of the opposition in respect of the above mentioned Trade Mark No.1116900. In view of the relevant trade mark being removed from the Register of Trade Marks, the appeal is dismissed as infructuous without any order as to costs.

22.11.2023

Index : Yes / No
Internet : Yes / No
Neutral Citation: Yes / No
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SENTHILKUMAR RAMAMOORTHY,J.



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