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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(T)CMA(TM)/39/2023
(OA/29/2014/TM/CHN)

Sathyam Cinemas,
Chaya Lakshmi Creations Pvt. Ltd. (now changed to
SPI Cinemas Private Limited),
No.25, Mamatha Complex, 3rd & 5th Floor,
Whites Road, Royapettah, Chennai - 600 014,
Tamil Nadu, India

... Appellant

-vs-

1.The Registrar,
Trade Marks Registry,
Intellectual Property Buildings,
GST Road, Chennai - 32.

2.Satyam Cineplexes Private Limited,
Patel Nagar, Ranjeet Nagar,
New Delhi 110 008.

... Respondents

PRAYER: Transfer Miscellaneous Appeal (Trade Marks) is filed under Section 91 of the Trade Marks Act, 1999, praying to allow this appeal by condoning the delay of 1460 days in filing FORM-16 on



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14.08.2013 to change the opposition Number from 732953 to 733705 and set aside the order of abandonment in vide letter no.TOP/NO1-1838 dated 15.10.2013 of the mark "SATHYAM CINEMAS" applied under class 42 for providing carry Canteen, Restaurants, Etc under Application No.1518269 filed on 04.01.2007 and to bring the application bearing No.1518269 filed on 04.01.2007 under class 42 for the mark "SATHYAM CINEMAS" on record for further proceedings before the Trade Mark Registry, Chennai for Registration.

For Appellant : No appearance

For Respondent 1 : Mr.M.Karthikeyan, SPC

For Respondent 2 : Mr.Abishek Jenasen

JUDGMENT

An order of deemed abandonment dated 15.10.2013 in respect of mark "SATHYAM CINEMAS" is assailed.

2. Learned counsel for the second respondent submits that the appellant merged with PVR Limited by order dated 23.08.2019 in Company Petition No.CAA-69(PB)/2019 of the National Company Law Tribunal Principal Bench, New Delhi. As regards the second respondent, it is submitted that the said respondent merged with



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INOX Leisure Limited under order dated 15.12.2015 in Company Petition No.195 of 2015 of the Delhi High Court. Thereafter, by order dated 12.01.2023, INOX Leisure Limited merged into and with PVR Limited / Transferee Company.

3. As a result of these developments, learned counsel for the second respondent submits that the appeal has been rendered infructuous.

4. By taking note of the above developments, (T)CMA(TM)/39/2023 is dismissed as infructuous without any order as to costs.

17.10.2023

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Index : Yes / No

Internet : Yes / No

Neutral Citation: Yes / No



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SENTHILKUMAR RAMAMOORTHY,J

rna

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