



WEB COPY

(T)OP(TM).No.401 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2023

CORAM

**THE HONOURABLE MR.JUSTICE SENTHILKUMAR
RAMAMOORTHY**

(T)OP(TM).No.401 of 2023
(ORA/2/2021/TM/CH)

M/s.Aquasub Engineering,
Thudiyalur Post,
Coimbatore – 641 034.

...Petitioner

Vs.

1.M.Mandal

Trading as Aqua Tech Enterprises,
Sridevi Complex, Hebbagodi,
Bommasandra Post, Hosur Main Road,
Bangalore – 560 099, Karnataka.

2.The Registrar of Trade Marks,
Office of the Trade Marks Registry,
Intellectual Property Rights Building,
Boudhik Sampada Bhawan,
G.S.T. Road, Guindy,
Chennai – 600 032.

...Respondents

Prayer: Transfer Original Petition (Trademarks) filed under Sections 9, 11, 18, 47 and 57 of Trademark Act, 1999 praying to rectify/cancel the Registration of Trade Mark AQUATECH under No.1925332 in Class 40 dated 22.02.2010.



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For Petitioner : Ms.Gladys Daniel
For R1 : No appearance
For R2 : Mr.R.Subramanian, ACWC

ORDER

At the hearing on 17.07.2023, it was recorded that notice was served on the first respondent on 27.06.2023. In spite of service of notice and the name of the first respondent being printed in the cause list, there is no representation for the first respondent.

2.Learned counsel for the petitioner has placed on record the status of Trade mark No.1925332. The document indicates that the last registration was valid up to 22.02.2020. Learned counsel for the second respondent also confirms that the registration was not renewed thereafter.

3.From the above, it is evident that even the long stop date for renewal expired. In these circumstances, no adjudication is necessary.

4.Therefore, (T)OP(TM).No.401 of 2023 is disposed of by directing the second respondent to remove the entry relating to Trade Mark No.1925332 in



(T)OP(TM).No.401 of

Class 40 from the Register of Trade Marks. This exercise shall be carried out within a period of four weeks from the date of receipt of a copy of this order.

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

To

The Registrar of Trade Marks,
Office of the Trade Marks Registry,
Intellectual Property Rights Building,
Boudhik Sampada Bhawan,
G.S.T. Road, Guindy,
Chennai – 600 032.



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