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(T)CMA(TM)/119/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(T)CMA(TM)/119/2023

(OA/66/2011/TM/CHN)

M/s.Jaimalla Cables
No.59, Mallikarjune Temple Street,
2nd cross, B.V.K.Yungar Road Cross
Chickpet, Bangalore-560 053.

... Appellant

-VS-

1.The Deputy Registrar of Trade Marks
Intellectual Property Building,
G.S.T.Road, Guindy,
Chennai.

2.Polycab Wires Pvt. Ltd
Hico House, 1st floor
No.771, Pandit Satwalekar Marg,
Mahim, Mumbai-400 016.

... Respondents

PRAYER: Transfer Civil Miscellaneous Appeal (Trademarks) filed
under Section 91 of the Trademarks Act, 1999, praying this Court that



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the application for registration filed by the appellant be allowed and opposition filed by the respondent be dismissed.

For Appellant : No appearance

For R1 : Mr.S.Diwakar, SPC

For R2 : No appearance

JUDGMENT

The bailiff's report on 07.10.2023 records that notice could not be served on the appellant because the appellant had left the specified address. Therefore, learned counsel for the Registrar of Trade Marks was directed to ascertain and report whether the appellant had communicated a change of address to the Trade Marks Registry. Learned counsel has placed on record the document relating to the application for registration of the trade mark. The document shows that the address provided therein matches with the address in the cause title of the appeal. In the absence of the current address for service on the appellant, this appeal cannot be proceeded



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with. Therefore, (T)CMA(TM)/119/2023 is dismissed for
non-prosecution without any order as to costs.

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Index : Yes / No
Internet : Yes / No
Neutral Citation: Yes / No

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SENTHILKUMAR RAMAMOORTHY,J.

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