



WEB COPY



(T)OP(TM).No.456 of

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2023

CORAM

**THE HONOURABLE MR.JUSTICE SENTHILKUMAR
RAMAMOORTHY**

(T)OP(TM).No.456 of 2023
(ORA/12/2021/TM/CH)

Produits Petroliers Organisation S.A.S.
A Company incorporated and existing in France,
44 rue de la Bienfaisance,
75008 PARIS, France.

...Petitioner

Vs.

1.Narendra Kumar Gupta,
Proprietors
M/s.Bhavani Auto Distributors,
64/5921, 92 TD Road, Kochi,
Ernakulam – 682 035, Kerala.

2.The Registrar of Trademarks,
Boudhik Sampada Bhavan,
G.S.T. Road, Guindy,
Chennai – 600 032.

...Respondents

Prayer: Transfer Original Petition (Trademarks) filed under Sections 47 and 57 of Trademark Act, 1999 praying that the registration Trademark No.4216523 in Class 4 for mark “KENNOL” be cancelled/removed as per the



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provisions of Sections 47 and 57 of the Trade Marks Act, 1999 and the cost of these proceedings be awarded in favour of the applicant.

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For Petitioner : Mr.B.Karthick
for M/s.ASSWAL Associates

For R2 : Mr.S.Janarthanam
Senior Panel Counsel

ORDER

Learned counsel for the petitioner has filed a memo stating that the impugned mark was deemed to be abandoned on account of the failure of the first respondent to file a counter statement in response to the notice of opposition of the petitioner. The status report indicating that the mark was abandoned is enclosed with the memo.

2. As a result of this development, this petition has been rendered infructuous. Consequently, (T)OP(TM) No.456 of 2023 is dismissed as infructuous without any order as to costs.

18.08.2023

Index:No
Speaking order
Neutral Citation:No
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To

The Registrar of Trademarks,
Boudhik Sampada Bhavan,
G.S.T. Road, Guindy,
Chennai – 600 032.

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SENTHILKUMAR RAMAMOORTHY,J.

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