



C.S.(Comm.Div).No.102 of 2023

and

O.A.Nos.386 & 387 of 2023

and

A.Nos.2543 & 2547 of 2023

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P.T. ASHA, J.

The following issues are framed in the suit for consideration:-

1. Whether the Defendants are infringing the Plaintiff's registered trademark SPEED and trade dress by use of an identical trade dress and an identical trademark "SPEED"?

2. Whether the Defendants are passing off their products as and for the Plaintiff's products under the trademark "SPEED"?

3. Whether both the marks being phonetically, visually, ocularly and structurally similar is likely to cause confusion and deception to arise among the trade and public in view of the same?

4. Whether the plaintiff is entitled to a declaration that the registered trademark "SPEED" is a well-known trademark within the meaning of Section 2(1)(zg) read with Section 11(6) of the Trademarks Act, 1999 ?



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5. *Whether a direction can be issued to the Registrar of Trademarks to notify the mark SPEED in the register of well-known trademarks?*

6. *Whether the Plaintiff is entitled to damages?*

7. *Whether the Plaintiff is entitled to any of the reliefs as prayed for?*

2. Post the matter on 11.08.2023.

3. Interim order already granted by this Court on 27.04.2023 in OA.Nos.386 and 387 of 2023 is extended till then.

03.08.2023

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shr

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