



WEB COPY



(T)OP(TM)/472/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(T)OP(TM)/472/2023
(ORA/30/2020/TM/CHN)

Veekesy Rubber Industries Pvt. Ltd.,
a Company incorporated under the
Companies Act, 1956,
and having their registered Office at
N.H.17, Kolathara P.O.,
Kozhikode-673 665, Kerala.

... Petitioner

-VS-

1.Mahmud
Trading as VKD Industries,
Shed No.1, Shed No.2,
C.V.Road, Bannimantap Extension,
Mysore-570 015, Karnataka.

2. Registrar of Trade Marks,
The Trademark Registry,
Bhouthik Sampada Bhavan,
GST Road, Guindy,
Chennai-600 032,
Tamil Nadu.

... Respondents



(T)OP(TM)/472/2023

PRAYER: Transfer Original Petition (Trade Marks) filed under Section 57 of the Trade Marks Act, 1999, praying to the Hon'ble Court to remove and expunge the impugned Registration No.2550236 for the trade mark “PPL light” in Class 25 for “all type of footwears” in the name of Mr.Mahamud trading as V.K.D. Industries on the grounds of the mark wrongly registered and wrongly remaining on the register.

For Petitioner : Mr.Ramesh Ganapathy

For R1 : No appearance

For R2 : Mr.A.R.Sakthivel, SPC

ORDER

Learned counsel for the petitioner has placed on record a letter issued by the 1st respondent and an affidavit of undertaking annexed thereto. In the said affidavit of undertaking, the 1st respondent has agreed not to use the impugned mark “PPL Light”. The 1st respondent has further undertaken to file an application before the Registrar of Trade Marks to cancel the said trade mark.



(T)OP(TM)/472/2023

WEB COPY 2. In view of this development, it has become unnecessary to adjudicate this petition on merits. Consequently, (T)OP(TM)/472/2023 is closed without any order as to costs.

06.12.2023

Index : Yes / No

Internet : Yes / No

Neutral Citation: Yes / No

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(T)OP(TM)/472/2023

SENTHILKUMAR RAMAMOORTHY,J.

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