



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(T)OP(TM)/480/2023
(ORA/SR.12/2019/TM/CHN)

Odi-Ray Industries Limited
Plot No.321 Ground Floor
Mahanadi Ring Road
NR.Hotel Mahanadi Inn
Cuttack 753 007, Odisha, India.

... Petitioner

-vs-

1.Protech Appliances (P) Ltd.,
Trading as Protech Appliances (P) Ltd.,
G261, 2nd Floor, Main Avenue
Panampilly Nagar, Kochi - 682 036,
Kerala, India.

2.The Registrar of Trade Marks,
Office of the Trade Marks Registry,
Intellectual Property Rights Building,
Godown Area GST Road,
Guindy, Chennai 600 032.

... Respondents

PRAYER: Transfer Original Petition (Trade Marks) filed under Sections 47, 57, 125 of the Trade Marks Act, 1999, praying to expunge or cancel the registration of the impugned mark SPICE bearing Registration Number 1760017 in Class 32. It is further prayed that

SENTHILKUMAR RAMAMOORTHY,J



rna
this Hon'ble Court be pleased to award cost of the proceeding to be paid by the Respondent to the Petitioner.

For Petitioner : No Appearance
For Respondent 2 : Mr.C.Samivel, SPC

ORDER

The matter is listed today under the caption "for dismissal" because the petitioner was unrepresented at the hearing on 08.11.2023 in spite of notice being served on the petitioner on 16.09.2023, as per the bailiff's report dated 16.09.2023. At today's hearing, the petitioner remains unrepresented.

2. Therefore, (T)OP(TM)/480/2023 is dismissed for non-prosecution without any order as to costs.

17.11.2023

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

(T)OP(TM)/480/2023
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