



A.No.5599 of 2023

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WEB C **ABDUL QUDDHOSE,J.**

1.Maya Appliances Pvt. Ltd
having its registered office at
10/5 Royal Enclave
Besant Avenue
Adyar, Chennai-600 020
and having office at
3/140 IT Highway
Oggiam Thoraipakkam
Chennai-600 097
represented by its Authorised Signatory
Mr.E.Mohan

2.Vijay Srinivasan

3.N.D.Venkatesan

.. Applicants

VS

1.Vibrant Concepts and Designs
having its shop at
No.47/22, Medavakkam Tank Road
Opp to ESI Hospital,
Aynavaram,
Chennai-600 012

2.Avinash Industries
partnership firm
represented by its Managing Partnership
Annamalai Palaniappan, having office at
No.925, Kelambakkam Vandalur Road
Mambakkam, Chennai-600 048

3.Franke Faber India Private Limited
having its registered office at

<https://www.mhc.tn.gov.in/judis>



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1086/1/2, Sanaswadi, Tal-Shirur
Pune-412208

...Respondents

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This suit has been filed for infringement of design as well as patent.

2. The brand VIDIEEM has been patented by the 2nd plaintiff who has assigned the same in favour of the 1st plaintiff. The 1st plaintiff is dealing with home appliances and VIDIEEM brand pertains to cooking stoves. The design for the said cooking stove is registered under the Designs Act in favour of the 2nd and 3rd plaintiffs. Both the patent as well as the design has been now assigned to the 1st plaintiff. The plaintiffs have filed the suit for infringement of design as well as patent. The products which are infringed are being sold in the 1st defendant shop at Chennai. The 2nd defendant is the manufacturer, who according to the plaintiffs are manufacturing cooking stoves which are designed similar to that of the plaintiffs brand VIDIEEM. The 3rd defendant is the marketing agent of the 2nd defendant. Both the 2nd and 3rd defendant are having its office outside the jurisdiction of this Court. The 1st plaintiff is having its office at Chennai and the 2nd and 3rd plaintiffs are also residing at Chennai. The 1st defendant is having its place of business at Chennai. Since the 2nd and 3rd defendants are having office outside the jurisdiction of this Court and since part of cause of action has arisen within the jurisdiction of this Court in view of the



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infringement of the patent as well as the design by the 1st defendant at Chennai, this application has been filed seeking leave to sue the defendants 2 and 3 before this Court.

3. This Court after giving due consideration to the contents of the affidavit filed in support of the application is inclined to grant leave to sue as prayed for. Accordingly, leave to sue the defendants 2 and 3 is granted as prayed for in this application. Registry is directed to number the suit, if it is otherwise in order.

19.10.2023

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