



2023:DHC: 8769



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **C.O. (COMM.IPD-TM) 341/2021****KTM-AG**

..... Petitioner

Through: **Mr. Daves Vashishtha, Adv.**

versus

HONDA MOTORCYCLES AND SCOOTER INDIA PVT.**LTD. AND ANR.**

..... Respondents

Through: **Ms. Mamta Rani Jha and Mr.
Anuraj Tirthankar, Advs. for R-1****CORAM:****HON'BLE MR. JUSTICE C. HARI SHANKAR****ORDER (ORAL)****07.12.2023**

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I.A. 24476/2023

1. The dispute between the parties stands settled in terms of Settlement Agreement dated 20 July 2023.
2. As envisaged in clause 5 of the Settlement Agreement, an application has been moved by Respondent 1 on 12 September 2023 for cancellation of Registration No. 1158390 dated 22 December 2005 granted by the Trade Mark Registry for the mark "DUKE" in class 12 in the name of Honda Motorcycles & Scooter India Pvt. Ltd.
3. Learned Counsel for the parties are present.



4. In view thereof, they pray that the present petition may be disposed of as settled between them.

5. The learned Counsel for the parties are *ad idem* that the Trade Mark Registry may be directed to take time bound steps to remove, from the Register of the Trade mark, the mark “DUKE”, vide Registration No. 1158390 dated 22 December 2005, granted in favour of Honda Motorcycles & Scooter India Pvt. Ltd, w.e.f. 13 December 2002.

6. The Registry of Trade Marks is directed to take appropriate steps accordingly.

7. The petition stands disposed of in the aforesaid terms.

8. Let a copy of this order be provided to Mr. Harish Vaidyanathan Shankar, learned CGSC, who appears on behalf of Trade Mark Registry before this Court, so that he may transmit it to the Trade Mark Registry in order to ensure compliance.

C. HARI SHANKAR, J.

DECEMBER 7, 2023

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