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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
 + **CS(COMM) 570/2017 & I.A. 18959/2022**
M/S CROCS INC USA Plaintiff
 Through: Mr. Ajay Amitabh Suman, Adv.

versus

M/S RELAXO FOOTWEAR LTD Defendant
 Through: Mr. Gaurav Miglani and Ms.
 Mansi Sharma, Advs.

+ **CS(COMM) 53/2018 & I.A. 2010/2020**
M/S CROCS INC.USA Plaintiff
 Through: Mr. Ajay Amitabh Suman, Adv.

versus

KIDZ PALACE & OTHERS Defendants
 Through: Ms. Vindhya S. Mani, Ms.
 Vaishali Joshi and Ms. Surbhi Nautiyal,
 Advs. for D-2&3

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER (O R A L)
28.08.2023

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CS(COMM) 570/2017 & CS(COMM) 53/2018

1. The suit design, which is asserted in these two suits, stands cancelled by the Registrar of Designs. Against the said order, the plaintiffs have preferred an appeal which is presently pending before the High Court of Calcutta.



2. Mr. Suman has drawn my attention to an order passed by the Coordinate bench of this Court on 12 July 2023 in which, in similar circumstances, the suit was disposed of as not surviving for consideration subject, however, to reserving of liberty with the plaintiff to avail appropriate remedies in the event of the appeal, filed by the plaintiff against the cancellation of the suit design, succeeding.
3. Following the said order and reserving liberty in the terms aforesaid, these suits are also disposed of.
4. I.A. 18959/2022 and I.A. 2010/2020 do not survive for consideration and stand disposed of accordingly.

C.HARI SHANKAR, J

AUGUST 28, 2023

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