



**O.A.Nos.168, 169, 170, 171 & 172 of 2024**

**in**

**C.S.(Comm Div) No.53 of 2024**

**P.VELMURUGAN, J.,**

The Original Application in O.A.No.168 of 2024 has been filed to grant adinterim injunction restraining the respondents, their partners their employees officers servants agents and all other acting for and on their behalf from manufacturing selling distributing exporting advertising offering for sale any products and in any other manner directly or indirectly dealing with any products or services under the trademarks MRU logo and logo which are deceptively similar identical and amounting to infringement of the Plaintiffs registered trademarks MRF MRF Connected Letter Device and logo or any other mark similar identical to the Applicants registered trademarks bearing numbers 478647 494508 809932 809934 1040372 1040373 1040376 1040377 1040378 1292876 1718198, 1718199, 2185144 in class 12 and 542963, 542964, 542965, 550664, 550665, 569483, 572277 666113 666230 666859 666861 666862 677966 677968 677969 677971 677972 677973 677974 677967 677970 677976 723822 723823 726525 726530 726532 726526 726527 726528 726529 726531 726533 726534 726535 726536 726708 726709 727509 769284 809936 809931 1040382 1040385 1306664 1306665 1718204 1718205 1718208 1718209 1718212



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2273546 2640013 in other classes, pending disposal of the suit.

2. O.A.No.169 of 2024 has been filed to grant an adinterim injunction restraining the respondents, their partners their employees officers servants agents and all other acting for and on their behalf from manufacturing selling distributing exporting advertising offering for sale any products and in any other manner directly or indirectly dealing with any products or services under the trademarks MRU, MRU logo and MRU lable which are deceptively similar/identical applicant's trade marks “MRF”, “ MRF Connected Letter Device and MRF logo amounting to passing off the goods and services of the respondents as and for those of the applicant in any manner whatsoever pending disposal of the suit.



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3. O.A.No.170 of 2024 has been filed to grant an Ad-interim injunction restraining the respondents, its partners, directors, proprietors, subsidiaries, affiliates, franchisees, officers, servants, agents, distributors, stockists, representatives, licensees and anyone acting for or on their behalf directly or indirectly, as the case may be from performing any actions, especially using Artworks which are identical or a substantially reproduction of the Applicant's original Artworks in the “MRF” and “MRF” Connected Letter Device under the trade dress/packaging/colour scheme/get up/layout of the Applicant's product or any other trade dress/colour scheme used amounting to unfair competition, dilution of the goodwill and reputation of the applicant's trade dress/colour scheme or doing any other thing which will lead to dilution of Applicant's Intellectual Properties, in any manner whatsoever pending disposal of the suit.

4. O.A.No.171 of 2024 has been filed to grant an Ad-interim injunction restraining the respondents, its partners, directors, proprietors, subsidiaries, affiliates, franchisees, officers, servants, agents, distributors, stockists, representatives, licensees and anyone acting for or on their behalf directly or indirectly, as the case may be from performing any actions, especially using MRU trade dress which is almost identical or a substantially reproduction of



the applicant's MRF trade dress/packaging/colour scheme/get up/layout or in any manner whatsoever, and from selling, offering for sale, advertising, manufacturing, mentioning on their websites, dealing in any manner whatsoever or otherwise using the layout and /or colour combination of the trade dress or get-up almost identical to the Applicant's trade dress amounting to passing off of its trade dress, in any manner whatsoever pending disposal of the suit.

5. O.A.No.172 of 2024 has been filed to grant an Ad-interim injunction restraining the respondents, its partners, directors, proprietors, subsidiaries, affiliates, franchisees, officers, servants, agents, distributors, stockists, representatives, licensees and anyone acting for or on their behalf directly or indirectly, as the case may be from performing any actions, especially using Artworks “MRU” logo and “MRU” label which are identical or a substantially reproduction of the Applicant's original Artwork in the MRF/MRF Connected Letter Device and the MRF trade dress/packaging/colour scheme/get up/ layout of the applicant which is a reproduction and / or substantial reproduction of Applicant's Artworks so as to infringe the Applicant's Copyright in the original Artworks by reproducing the same in any material form or using the same or any colourable imitation thereof or otherwise howsoever, pending disposal of the suit.



6. No counter affidavit has been filed by the defendants.

7. It is submitted by the learned counsel for the defendants that he has filed memo with regard to change of artworks. The said memo cannot be treated as counter affidavit. The learned counsel for the defendants has to submit their facts of denial by way of filing counter affidavit not by way of filing memo. Hence this Court is not inclined to accept the memo filed by the respondents/defendants.

8. Being satisfied with the reasons stated in the affidavit filed in support of the applications, all the applications are allowed.

9. List the Suit on 11.06.2024.

**16.04.2024**

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**P.VELMURUGAN, J.,**

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