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(T)OP(TM)/17/2023
(ORA/20/2011/TM/CHN)

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2024

CORAM

MR.JUSTICE N.SESHASAYEE

(T)OP(TM)/17/2023
(ORA/20/2011/TM/CHN)

M.K.Agrotech Pvt. Ltd.
Opp. Ranganatha Petrol Bunk
Mysore - Bangalore Road
Srirangapatna
Mandya District 571438
Karnataka

... Petitioner

Vs.

1.Registrar of Trademarks
Office of Trademarks Registry
Office of the Trademarks Registry, GST Road
Guindy, Chennai

2.K.Suma Trading as Suma Oil Agencies
No.507, 3rd Stage, Pillana Garden
Bangalore 560 045
Karnataka

... Respondents

PRAYER: The Transfer Original Petitions (Trademarks) filed, to exercise its discretion in favour of the applicant and against the 2nd respondent,



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remove / expunge/rectify the entry relating to registration no.1169658 in class 29 and award costs in favour of the applicant.

For Petitioner : Mr.R.Sathish Kumar

For Respondent 1 : Mr.S.Janarthanam
Senior Panel Counsel

For Respondent 2 : No Appearance

ORDER

The learned counsel for the petitioner submits that this present petition is laid for rectification of register seeking cancellation of a trademark registered in the name of the 2nd respondent on the ground that it is deceptively similar to the trademark of the petitioner.

2.The learned counsel for the petitioner adds that the registration of the rival trademark (trademark of the 2nd respondent) has expired and it has not been renewed. He, therefore submitted that nothing survives for the present for consideration in this rectification petition.



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3.The present petition stands dismissed as having become infructuous accordingly.

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Index : Yes / No

Neutral Citation: Yes / No



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N.SESHASAYEE, J.

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