WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2024

CORAM :JUSTICE N.SESHASAYEE

(T)OP(TM) No.203 of 2023
and (T)OP(TM) No.222 of 2023

DIAGEO NORTH AMERICA INC.,
801, Main Avenue, Norwalk
Connecticut 06851-1127
United States of America ... Petitioner in both OPs

Vs.

1.Poodhuturu Rajith Reddy
Plot No.353, Road No.23
Jubilee Hills
Hyderabad - 500 033.

2.The Deputy Registrar of Trade Marks
Trade Marks Registry
Boudhik Sampada Bhawan
GST Road, Guindy
Chennai - 600 032 ... Respondents in both OPs

COMMON PRAYER : Transferred Original Petitions (Trade Marks) filed under Section 57 of the Trade Marks Act, praying to expunge the registration of the impugned mark 'BULLET MALTED WHISKY' bearing registration Nos.1127029 & 1127035 by its removal from the register, and to award costs of the proceedings to be paid by the respondent No.1 to the petitioner.

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

WEB COPY

For Petitioner (in both OPs) : Ms.Subhadra Madhavan for Mr.Abishek Jenasenan

For Respondents (in both OPs) : R1 - set exparte vide order dated 27.02.2024

Mr.C.Samivel
Senior Panel Counsel for R2

COMMON ORDER

The learned counsel for the petitioner made a statement that the mark of the first respondent in relation to which rectification is sought in these petitions have expired, and the first respondent has not sought its renewal, despite a notice issued to the first respondent by the Trade Mark Registry.

2. In view of this development, nothing survives for consideration in these two petitions for the present. Accordingly, these two petitions are closed as having become infructuous. No costs.

01.03.2024

ds

Index : Yes / No
Speaking order/ Non-speaking order

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

WEB COPY

To:

The Deputy Controller of Patents & Design
Patent Office Intellectual Property Building
GST Road, Guindy
Chennai - 600 032

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

WEB COPY

N.SESHASAYEE, J.

ds

(T)OP(TM) No.203 of 2023
and (T)OP(TM) No.222 of 2023

01.03.2024