



WEB COPY



(T)CMA(TM)/114/2023
(OA/46/2011/TM/CHN)

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2024

CORAM

MR.JUSTICE N.SESHASAYEE

(T)CMA(TM)/114/2023
(OA/46/2011/TM/CHN)

M/s.Karnataka Cooperative Milk Producers Federation Limited
KMF Complex
Hosur Road
Bangalore 560 004

... Appellant

Vs.

1.N.Ananda, A. Narasimha Rupesh
Trading as M/s.Nandhini Deluxe
114/2, Lalbagh Fort Road
Minerva Circle
Bangalore 560 004

2.The Deputy Registrar of Trade Marks
Office of the Trade Marks Registry
I.P. Building, GST Road
Guindy, Chennai 600 032

... Respondents

PRAYER: Transfer Civil Miscellaneous Appeal (Trade Marks) filed under Section 91 of the Trade Marks Act, 1999, praying to call for records, quash and set aside the order of the Hon'ble Deputy Registrar / 2nd respondent



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herein dated 26.03.2010 in opposition No.MAS-732173 to Application No.1521537 in Class 31 and consequently disallow and dismiss the application No.1521537 in Class 31 and for costs of the opposition proceedings and the instant appeal proceedings to the appellant.

For Appellant : Mr.S.Ravi
Senior Counsel

For Respondents : No Appearance - R1

Mr.J.Madanagopal Rao
Senior Panel Counsel - R2

JUDGMENT

This appeal is preferred challenging an order of the Trade Marks Registry, rejecting the appellant's opposition to the registration of the trade mark of the 1st respondent.

2.The learned counsel for the appellant makes a statement on instruction that the registration of the 1st respondent mark has expired on 17.01.2017 and the same has not been renewed. The Memo dated 20.03.2024 to that effect too has been filed and it is recorded.



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3. In view of the same, nothing survives for consideration in this appeal.

This appeal accordingly stands dismissed as having become infructuous.

There is no order as to costs.

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kas

Index : Yes / No
Neutral Citation



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N.SESHASAYEE, J.

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