



WEB COPY



(T)OP(TM)/421/2023
(ORA/126/2011/TM/CHN)

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2024

CORAM

MR.JUSTICE N.SESHASAYEE

(T)OP(TM)/421/2023
(ORA/126/2011/TM/CHN)

M/s.Mysore Commerce & Sales Pvt. Ltd.
SCO 188 - 189, Madhya Marg, Sector 8C
CHANDIGARH 160009

... Petitioner

Vs.

1.M/s.Anti Surge Fuses & Lamps
259-A (Block-C) Bommasandra Industrial Area
Bommasandra Rural Village, Hosur Road
BANGALORE 562158

2.M/s.Shri Krishna Industries
342, Pandav Nagar Industrial Area
Ghaziabad (U.P.)

3.The Registrar of Trade Mark
Through
Dy. Registrar of Trade Marks
Trade Mark Registry
Intellectual Property Building
GST Road, Guindy
CHENNAI 600032

... Respondents



(T)OP(TM)/421/2023
(ORA/126/2011/TM/CHN)

PRAYER: The Transfer Original Petitions (Trademarks) filed under Sections 57 read with Section 125 of the Trademarks Act, 1999, to order removal of the entry from the registered trade mark no.1652967 in class 11 be taken off the Register of Trade Marks in respect of the goods for which it was registered.

For Petitioner	: No Appearance
For Respondent 1	: unserved
For Respondent 3	: Mr.K.Subbu Rangan Bharathi CGSC - R3

ORDER

The Registry's attempt to serve notice on the petitioner ended in vain as the notice was returned with an endorsement in Hindi that there is no such addressee in the said address. It is the Registry's notice to the petitioner and nothing more could be done for the present. The petition is therefore dismissed. However, the petitioner is entitled to revive this petition since the case is dismissed not even for the default of the petitioner, but due to the inability of the Registry to serve notice of the transfer of proceedings on the petitioner.



(T)OP(TM)/421/2023
(ORA/126/2011/TM/CHN)

02.02.2024

kas

Index : Yes / No

Neutral Citation: Yes / No

N.SESHASAYEE, J.

kas

(T)OP(TM)/421/2023
(ORA/126/2011/TM/CHN)



WEB COPY



(T)OP(TM)/421/2023
(ORA/126/2011/TM/CHN)

02.02.2024