



WEB COPY



OP(TM)/13/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2024

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

OP(TM)/13/2023

Mr.Shivnarayan Sabu
Trading as M/s.Maheswari Traders
53/2, Kalali Mohalla, Chhawani,
Bansi Bhawan, Indore,
Madhya Pradesh, India.

... Petitioner

-VS-

1.Sabu Trade Private Limited
Rep. by its Director, Gopal Sabu,
No.114, Narasimman Road,
Shevapet, Salem - 636 002.

2.The Registrar of Trade Marks,
Trade Marks Registry,
Anna Salai, Guindy Industrial Estate,
SIDCO Industrial Estate,
Guindy, Chennai, Tamil Nadu 600 032.

... Respondents

PRAYER: Original Petition (Trade Marks) is filed under Section 57 of



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the Trade Marks Act, 1999, pleased to allow the present petition and direct the second respondent to remove the entry relating to Trade Mark No.4285508 in Class 30 (or) direct the second respondent to amend the entry relating to Trade Mark No.4285508 in Class 30 to include a disclaimer wherein no exclusive right over the word "SABU" is granted to the Respondent No.1.

For Petitioner : Ms.Reshma Rajagopal
for M/s.Kria Law

For Respondent 1 : Mr.R.Sathish Kumar

For Respondent 2 : Mr.K.Srinivasa Murthy, SPC

ORDER

Two petitions were filed seeking rectification in respect of Trade Mark No.4285508 in clause 8. This is the later petition. The



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earlier petition has been transferred from the Registrar of Trade Marks and re-numbered a (T)OP(TM)/23/2024, which is listed on 15.10.2024.

2. Since two petitions for rectification of the same trade mark cannot be prosecuted, this petition is closed.

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Index : Yes / No

Internet : Yes / No

Neutral Citation: Yes / No

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