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(T) OP (TM) No.13 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2024

CORAM:

THE HON'BLE MR.JUSTICE P.B.BALAJI

(T) OP (TM) No.13 of 2024
(SR.No.128/2019/TM/CHN)

KCI Licensing, Inc.,
12930 IH-10 West, San Antonio,
Texas 78049-2248, USA.

.. Petitioner

.Vs.

1.J and J Dechane Laboratories (P) Ltd.,
Residency Road, Hyderabad 500 001,
Andhra Pradesh.

2.The Registrar of Trademarks,
Office of the Trade Mark Registry,
Boudhik Sampada Bhawan,
G.S.T Road,
Guindy, Chennai – 600 032.

.. Respondents

Prayer: This Petition came to be numbered by transfer of
O.R.A.SR.No.128/2019/TM/CHN from the file of the Intellectual Property
Appellate Board, Chennai.



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(T) OP (TM) No.13 of 2020

For Petitioner : No appearance

For Respondents

For R1 : No appearance

For R2 : Mr.R.Subramaniam
Additional Central
Government Standing Counsel

ORDER

I have heard Mr.R.Subramaniam, learned Additional Central Government Standing Counsel for the 2nd respondent. No representation for the petitioner.

2.This matter has been transferred from the Intellectual Property Appellate Board. Even before the IPAB, the papers were returned to the petitioner for complying with certain defects. However, thereafter there has been no representation of the papers and the file received from the IPAB is also incomplete.

3.There was no representation on the side of the petitioner on the earlier occasion and hence, two weeks time was granted to comply with



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the defects and to file necessary copies in the present petition and it was made clear that in the event of failing to comply with the above defects, this Original Petition will be dismissed for non-prosecution. There is no compliance with the earlier order and there is also no representation for the petitioner.

4.In view of the above, this Original Petition is dismissed for non-prosecution. However, there shall be no order as to costs.

26.07.2024

Index : Yes/No
Speaking/Non-speaking order
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P.B.BALAJI,J.

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To
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The Registrar of Trademarks,
Anna Salai, Guindy Industrial Estate,
Guindy, Chennai,
Tamil Nadu – 600 032.

(T) OP (TM) No.13 of 2024

26.07.2024