



(TM) A Nos.93, 94 & 95 of 2024 in
(T)OP(TM) Nos.137, 140 & 142 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-12-2024

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

(TM) A.Nos.93, 94 & 95 of 2024
IN
(T)OP(TM).Nos.137, 140 & 142 of 2023

SYMBIOSIS INTERNATIONAL UNIVERSITY
AN INSTITUTION DEEMED TO BE UNIVERSITY
UNDER SECTION 3 OF THE UNIVERSITY
GRANTS COMMISSION ACT, 1956 LAVALE,
MULSHI, PUNE 411215. AND ANOTHER

APPLICANTS

Vs

M/S. PRATHAP FOUNDATION FOR EDUCATION
AND TRAINING,
PRATHAP NAGAR, MUTTOM, ALUVA - 683106,
KERALA REPRESENTED BY ITS EXECUTIVE
TRUSTEE DR. G.P.C. NAYAR. AND ANOTHER

RESPONDENTS

For Applicants:

ARUN C. MOHAN

For Respondents:

SUNITHA VIBHAV [R1]
S.JANARTHANAM [R2]



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COMMON ORDER

These applications have been filed seeking for reception of additional documents.

2. The applicant/petitioner claims that only to prove that they have been in continuous usage of their trademark, there became a necessity for them to file these applications seeking leave of this Court to file additional documents. Earlier, the Original Petitions were filed before the Intellectual Property Appellate Board, Chennai, in the year 2014.

3. Learned counsel for applicant/petitioner submits that in order to prove that they have been continuously using the trademark even after the filing of the Original Petitions before the Intellectual Property Appellate Board, Chennai, which have been subsequently transferred to this Court, there became a necessity to file additional documents.

4. A counter affidavit has been filed by the contesting



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respondents disputing the relevancy of the documents filed by the applicant/petitioner.

5. No prejudice will be caused to the respondents if the documents are allowed to be received subject to its admission, proof and relevancy. The respondents are always having a right to cross-examine the petitioner's witness with regard to the relevancy of the additional documents, which are allowed to be received by this Court today.

Accordingly, these applications are allowed as prayed for and the documents are allowed to be received by this Court subject to its admission, proof and relevancy. The respondents are at liberty to cross-examine the petitioner's witness with regard to the relevancy of additional documents.

12-12-2024

ABDUL QUDDHOSE, J



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gm

WEB COPY

To

1. M/S. PRATHAP FOUNDATION FOR EDUCATION
AND TRAINING,
PRATHAP NAGAR, MUTTOM,
ALUVA - 683106, KERALA
REPRESENTED BY ITS EXECUTIVE TRUSTEE
DR. G.P.C. NAYAR.

2. THE REGISTRAR OF THE TRADE MARKS
TRADE MARK REGISTRY,
G.S.T. ROAD, GUINDY,
CHENNAI - 600 032.

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12.12.2024