



WEB COPY



(T) OP (TM) Nos.520 & 526 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.07.2024

CORAM:

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

(T) OP (TM) Nos.520 & 526 of 2023
(ORA/SR.28 & 27/2020/TM/CHN)

Bennet, Coleman & Company Limited,
Registered Office at
Times of India Building,
Dr.D.N.Road,
Mumbai – 400 001. Maharashtra.

.. Petitioner in both cases.

..Vs.

1.Arvind Fashions Limited,
Main Building, Arvind Limited Premises,
Naroda Road, Ahmedabad – 380 025.

2.The Registrar of Trademarks,
Trade Marks Registry,
Boudhik Sampada Bhawan,
G.S.T.Road, Guindy, Chennai 600 032,
Tamil Nadu.

.. Respondents in both cases

[Amended as per order dated
24.11.2023 in A (TM) Nos.72 & 73
of 2023 in (T) OP (TM) Nos.520 &
526 of 2023]



WEB COURT

Common prayer: This Petition came to be numbered by transfer of O.R.A.SR.Nos.28 & 27/2020/TM/CH from the file of the Intellectual Property Appellate Board, Chennai to rectify the impugned registration of



the mark NNNOW / registered under No.3201849 & 3036408 respectively in Class 99 (35, 38 and 42) by removing the following description of services, “**Class 35:** *advertising, publication of advertising material on-line, marketing; business management; business administration; office functions. Class 38: Telecommunications*” and **Class 42:** *Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software*” from the description of goods/services of the impugned registration mentioned below:

“**Class 35:** *Retail stores; retail sales services provided by means of a global computer network; showroom services, ordering and online retail wholesale, dealership distributorship services and agency; promotional and information services relating to the retailing, wholesaling and delivery of goods, all related to clothing, footwear, headgear, advertising.*”

(In both the cases)

For Petitioner : Mrs.Gladys Daniel
for M/s.C.Daniel



(T) OP (TM) Nos.520 & 526 of 2024

For Respondents

R2

: Mr.A.R.Sakthivel

Senior Panel

Central Government Standing Counsel

COMMON ORDER

The parties have submitted a Joint Compromise Memo entered into between the petitioner and the 1st respondent in both the petitions. The said Joint Memorandum of Compromise dated 26.06.2024 is signed by the learned counsel for the petitioner and the 1st respondent in both the petitions and a copy of the settlement/compromise executed at Mumbai on 07.06.2024 is also enclosed along with the said Joint Memorandum of Compromise and the learned counsel for the parties seek permission of this Court to withdraw the petitions.

2.The said Joint Memorandum of Compromise in both the petitions are taken on file.

3.In view of the joint request, these rectification petitions are dismissed as withdrawn. There shall be no order as to costs.

03.07.2024

Index : Yes/No

Speaking/Non-speaking order
ata



(T) OP (TM) Nos.520 & 526 of 2023

P.B.BALAJI,J.

ata

WEB COPY **To**

The Registrar of Trademarks,
Trade Marks Registry,
Boudhik Sampada Bhawan,
G.S.T.Road, Guindy, Chennai 600 032.

(T) OP (TM) Nos.520 & 526 of 2023
(ORS/SR.28 & 27/2020/TM/CHN)

03.07.2024