



\$~8

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ C.O. (COMM.IPD-TM) 57/2024 & I.A. No. 9674/2024
WELLCON ANIMAL HEALTH PVT LTDPetitioner
Through: Mr. Deepak Dhyani, Advocate.

versus

M/S. WELLDORF LABS & ORS.Respondents
Through: Mr. Chirag Jain with Mr. Shobhit
Shukla Kunal Goyal, Advocates.

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

11.09.2024

%

1. The present petition has been filed under Section 47 and 57 of the Trade Marks Act, 1999 seeking rectification/cancellation of the registered trademark 'APTIFAST' bearing Trade Mark No. 3823783 in Class-5 from the Register of Trademarks.
2. Today, Mr. Chirag Jain, Advocate appearing for respondent nos. 1 to 4 submits that he has instructions to withdraw the Trade Mark registration No. 3823783 registered in Class-5 in favour of the respondents.
3. Accordingly, let steps be taken by the respondents for withdrawal of their registered trademark 'APTIFAST', bearing Trade Mark No. 3823783 in Class-5, from the Register of Trademarks.
4. Learned counsel appearing for the respondents submits that an appropriate application seeking withdrawal of Trademark No. 3823783 shall



be filed before the Registrar of Trademarks within a period of three weeks from today.

5. The respondents are held bound by the aforesaid statement.

6. Accordingly, it is directed that upon filing of the application by the respondents, the registered trademark, i.e., 'APTIFAST' bearing Trade Mark registration No. 3823783 in Class-5, shall be struck off from the Register of Trademarks.

7. Learned counsel appearing for the petitioner submits that he is satisfied with the aforesaid statement made on behalf of the respondents and that the present petition can be disposed of, in the aforesaid terms.

8. Considering the aforesaid, the present petition is disposed of in the aforesaid terms, along with the pending application.

MINI PUSHKARNA, J

SEPTEMBER 11, 2024

c