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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ C.A.(COMM.IPD-TM) 62/2024

HEIDELBERGER DRUCKMASCHINEN AGAppellant
Through: Mr. Jayant Kumar, Ms. Ruchi Singh
and Mr. Sumit Verma, Advocates.

versus

THE REGISTRAR OF TRADE MARKS
AND ANR

.....Respondents

Through: Ms. Nidhi Raman, CGSC with Mr.
Jubin Singh and Mr. Chetan Jadon,
Advocates for R-1.
Mr. Markandey Kumar Singh,
Advocate for R-2

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HEIDELBERGER DRUCKMASCHINEN AG

.....Appellant

Through: Mr. Jayant Kumar, Ms. Ruchi Singh
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Advocates for R-1.
Mr. Markandey Kumar Singh,
Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

12.11.2024

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1. Both the aforesaid appeals have been preferred under Section 91 of the Trade Marks Act, 1999 challenging the order dated 3rd May, 2024 passed by the Registrar of Trademarks/Respondent No.1.



2. By way of the impugned order, the oppositions filed by the Appellant to the trademark applications filed on behalf of Respondent No.2 in respect

of the Mark  (HEIDELCO) in Classes 10 and 44 respectively have been dismissed. Consequently, the trademark applications have been granted registration.

3. On the last date of hearing before the learned Joint Registrar *i.e.*, 23rd October, 2024, counsel appeared for Respondent No.2 and stated that the Respondent No.2 does not wish to contest the present appeals.

4. Today, once again, Mr Markandey Kumar Singh, counsel appearing for Respondent No.2 submits that he has instructions from Respondent No.2 not to contest the present appeals.

5. Mr Singh further submits that Respondent No.2 is agreeable to file applications for cancellation/withdrawal of the trademark registrations in respect of the aforesaid mark granted in its favour.

6. The aforesaid statement is taken on record.

7. In view of the aforesaid statement made by the counsel for Respondent No.2, Mr. Jayant Kumar, learned counsel appearing for the Appellant does not wish to press the present appeals.

8. Accordingly, both the appeals are disposed of while directing that the Respondent No.2 shall take steps for withdrawal/cancellation of the subject trademark registration no.4483464 and trademarks registration no.4483463 within two (2) weeks from today.

AMIT BANSAL, J

NOVEMBER 12, 2024

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