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15.12.2025
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 23994 of 2025
(CAN 1 of 2025)
(CAN 2 of 2025)
(CAN 3 of 2025)

Fast Info Services Pvt. Ltd.
Vs.
The Controller General of Patents,
Designs and Trade Marks (CGPDTM)

Mr. Bikramaditya Ghosh
Dr. Arjun Chowdhury
Mr. Sudipto Nayan Ghosh
...for the Petitioner

Mr. Siddhartha Lahiri
Ms. Mary Datta
...for the Union of India

The grievance of the petitioner is directed against a public notice issued by the Controller General of Patents, Designs and Trade Marks (CGPDTM) dated 30th September, 2025 whereby the respondent authorities have taken serious exception to the petitioner carrying on business as OnlineLegalIndia.com offering services to the public *inter alia* to help them register trade marks (brand name, logo, slogan, icon etc.) through their online registration services.

It is also alleged that the services being offered by the petitioner are unauthorized and without authority of law. In such circumstances, in larger public interest, the impugned notice has been issued to stop the petitioner from providing any online

registration services. It is also contended that there are approximately 30 such websites which are operating within the country and no action has been taken in respect thereof. A copy thereof is handed over to the respondent authorities. In support of such contention, the petitioner relies on Section 145 of Trade Marks Act, 1999 to contend that since the petitioner or other such online platforms/websites are not agents, they are not amenable under the Act.

On behalf of the statutory respondent, it is submitted that by the impugned notices, the petitioner has been given an opportunity to respond to the impugned notice within ten working days from the date of issuance of notice. Instead of availing of such opportunity, the petitioner has rushed to Court and obtained an ad interim order of stay as far back as on 14th October, 2025.

On a perusal of the public notice, it is evident that the same has been issued in public interest to prevent misleading and illegal advertisements, offering of services and assurances for carrying out trademark protection. The impugned notice has been issued to protect the public and with the aim of upholding the integrity and the ethical standards within the IP ecosystem.

The public notice was issued as far back as on 30th September, 2025. The petitioner had obtained a

stay of the impugned notice on 14th October, 2025. The matter has been pending since then.

In view of the opportunity which has been granted to the petitioner, the apprehension of the petitioner is premature. The matter is at large before the authorities and a final decision is yet to be taken. WPA 23994 of 2025 along with all interlocutory applications is disposed of by granting the petitioner seven days' time to approach the respondent authority with their objection. If such proposed objection is filed within the stipulated time, the respondent authorities are directed to dispose of the matter within fifteen days from the date of receipt of such communication. In the meantime, there shall be a stay of the impugned notice till the disposal of the representation of the petitioner.

It is made clear that all issues on the merits are left open and the above order will not influence the respondent authorities in disposing of the response of the petitioner in accordance with law.

In view of the above, WPA 23994 of 2025 alongwith all interlocutory applications stand disposed of.

There shall however be no order as to costs.

(Ravi Krishan Kapur, J.)