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IN THE HIGH COURT AT CALCUTTA
ORIGINAL SIDE
(Intellectual Property Rights Division)

IPDTMA/2/2024

M/S CHANDRAS CHEMICAL ENTERPRISES PVT LTD
VS
THE REGISTRAR OF TRADE MARKS AND ORS

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 15th July, 2025.

Appearance:

Mr. Ranjan Bachawat, Sr. Adv.

Mr. Subhasish Sengupta, Adv.

Ms. Ragini Ghosh, Adv,

Ms. Ruchira Manna, Adv.

Ms. Kaushiki Roy, Adv.

Mr. Abhishek Sikdar, Adv.

...for appellant.

Mr. Suryaneel Das, Adv,

...for respondent no. 1.

Mr. Ratnanko Banerjee, Sr. Adv.

Mr. Sayantan Basu, Sr. Adv.

Mr. Tanmoy Roy, Adv.

Mr. A. Mukherjee, Adv.

Ms. Ashika Daga, Adv.

Mr. Raunak Das Sharma, Adv.

Ms. Sampurna Mukherjee, Adv.

...for respondent no. 3

The Court: This is an appeal directed against an order dated 10 November, 2023 passed by the Assistant Registrar of Trade Mark refusing the trade mark application no. 1609788 in class 1.

Briefly, the appellant M/s. Chandra Chemicals Enterprises Private Limited had filed an application for registration of trade mark "DENSEAL" (label per se in class 1 in respect of adhesive for industrial use under bearing no. 1609788). The mark was advertised. Subsequently, the respondent no. 3,

Pidilite Industries Limited had filed a notice of opposition raising several grounds on which the above application was liable to be dismissed.

By the impugned order dated 10 November, 2023, the Assistant Registrar of Trade Marks had dismissed the application for registration filed by the appellant.

After a protracted hearing, in view of the observation of this Court, both parties fairly submit that they have no objection if the impugned order is set aside and the matter is remanded back to the Office of the Registrar of Trade Marks for hearing afresh of the application as well as the above opposition in accordance with law.

It is made clear, that there has been no expression on the merits of the case and all questions are left open for the Registry to decide in accordance with law.

Such exercise should be conducted within a period of three months from the date of passing of this order, without granting any unnecessary adjournments to either of the parties.

It is needless to mention that the order to be passed in the above application and opposition should be reasoned and in accordance with law.

In view of the above, the impugned order is set aside.

With the above directions, IPDTMA/2/2024 stands disposed of.

(RAVI KRISHAN KAPUR, J.)

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