



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 24.07.2025

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(IPD)No.4 of 2025
and W.M.P.(IPD)No.3 of 2025

M/s.Empee Distilleries Limited,
Rep. by its CEO,
Mr.Alfred Sagaya Sunder Xavier,
72 Grems Road, Opp. Post Office,
Thousand Lights, Chennai- 600 006.

... Petitioner

-VS-

1. The Controller General of Patents,
Designs and Trademarks,
Office of the Trademarks Registry,
Boundhik Sampada Bhawan,
Near Antop Hill Head Post Office, S.M. Road,
Antop Hill, Mumbai- 400 037.

2. The Deputy Registrar of Trade Marks,
Office of the Trade Marks Registry,
Intellectual Property Rights Buildings,
Industrial Estate, GST Road,
Guindy, Chennai-600 032.

... Respondents

Prayer: Writ Petition (IPD) filed under Article 226 of the Constitution of



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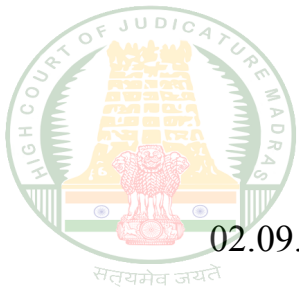
India for issuance of Writ of Mandamus directing the respondents to receive the petitioner company's renewal application in Form TM – R, dated 26.11.2024 for Registered Trade Mark No. 1117946 in Class 33 and to consequently renew the Registered Trade Mark No. 1117946 in Class 33 in accordance with due process of law.

For Petitioner : Ms.T.Kiran Rani
for KNS Law Chambers

For Respondents : Mr.Rajesh Vivekananthan, DSG

ORDER

By this writ petition, the petitioner seeks a direction to the respondents to receive the petitioner's renewal application in respect of Trade Mark No.1117946 in Class 33 and to renew the registration. The petitioner had obtained registration of Trade Mark No.1117946 with effect from 11.07.2002. Such registration was valid up to 11.07.2012. It is stated that the petitioner entered the Corporate Insolvency Resolution Process (CIRP) in 2018 and was therefore not in a position to apply for renewal earlier. In this regard, it is also submitted that the registration certificate was issued only on

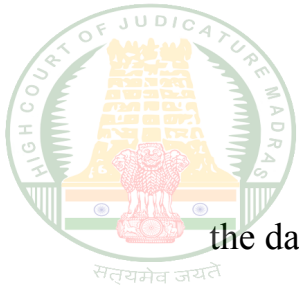


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02.09.2022. After endeavouring to renew the trade mark by application dated 26.11.2024, the present writ petition was filed challenging the rejection letter dated 06.12.2024.

2. Learned counsel for the petitioner submits that the matter is squarely covered by the earlier judgment of this Court in *Jaisuryas Retail Ventures Private Limited v. The Registrar of Trade Marks 2024:MHC:3109; 2024(100) PTC 25 (Mad) (Jaisuryas Retail Ventures)*. Learned counsel for the respondents also fairly submits that the matter is covered by the above mentioned judgment.

3. In view of the above submissions, this writ petition is allowed by setting aside rejection letter dated 06.12.2024 and directing the 2nd respondent to receive and process the petitioner's renewal application in respect of Trade Mark No.1117946 subject to payment of requisite fees in such regard. For the above purpose, the respondents are directed to provide access to the portal or, in the alternative, act on the physical copy of the renewal application. This exercise shall be completed within 30 days from



the date of receipt of a copy of this order. There shall be no order as to costs.

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Consequently, connected miscellaneous petition stands closed.

24.07.2025

Index :Yes / No

Internet :Yes / No

Neutral Citation :Yes / No

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To

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2. The Deputy Registrar Of Trademarks
Office Of The Trademarks Registry,
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SENTHILKUMAR RAMAMOORTHY,J

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