



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2025

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

(T) O.P. (TM) No.282 of 2023

United Biotech Private Limited

.. Petitioner

VS

1.Pharmaids Pharmaceuticals Ltd.
12-2-418/1-A, Murad Nagar,
Gudimalkapur Road,
Hyderabad - 500 028.

2.The Registrar of Trade Marks,
Office of the Trade Marks Registry,
Intellectual Property Building,
G.S.T.Road,
Guindy, Chennai 600 032.

.. Respondents

Prayer: This petition filed under Sections 47 and 57 of the Trade Marks Act, 1999 for the relief that the registered Trade Mark Registration No.814508 in Class 5 in favour of the first respondent be removed from the register on the grounds mentioned in the accompanying petition.

For petitioner : Mr.Ravi Kiran,M.
for M/s.Sim and San

For R1 : Ms.Juris Arena

For R2 : Mr.T.V.Krishnamachari



ORDER

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Both the counsels submit, on instructions that the Trade Mark Registration granted in favour of the first respondent, which is the subject matter of this petition, has not been renewed subsequent to the expiry.

2.Learned counsel for the first respondent would submit that steps have been taken by the first respondent to renew the Trade Mark Registration granted in favour of the first respondent earlier.

3.However, as on date, since there is no Trade Mark Registration standing in the name of the first respondent due to the expiry of the Trade Mark Registration, this petition will have to be dismissed as infructuous. However, liberty will have to be granted to the petitioner in case the first respondent is able to renew the Trade Mark Registration and subsequently to file a similar O.P. challenging the said Trade Mark Registration granted in favour of the first respondent.

4.Accordingly, this petition is dismissed as infructuous. Liberty as prayed for by the learned counsel for the petitioner, to revive this petition in the event of the first respondent obtaining renewal of the Trade Mark Registration in the near



future, is granted. No costs.

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21.01.2025

vga

To

The Registrar of Trade Marks,
Office of the Trade Marks Registry,
Intellectual Property Building,
G.S.T.Road,
Guindy, Chennai 600 032.



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ABDUL QUDDHOSE,J.

vga

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