



Writ Petition (IPD) No.42 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 03.10.2025

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Writ Petition (IPD) No.42 of 2025

Sujatha Rajkumar

.. Petitioner

VS.

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

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondent to consider an application in Form TM-P bearing reference No.12065515 dated 10.03.2025 filed under Section 45 of the Trade Marks Act, 1999 and take on record the subsequent proprietor of the registered trademark 'VELVETTE' bearing application No.2074510 in class 3 as per Assignment Deed dated 31.01.2025.

For Petitioner : Mr.Chandini Pradeep Kumar



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For Respondent : Mr.K.Balaji

ORDER

The petitioner states that she is engaging in the business of manufacturing, marketing and sale of health care products under the name and style of 'VELVETTE'. The artistic work is also registered on an application filed by the writ petitioner in class 3. The applicant had entered into a License Agreement with M/s.Reliance Consumer Products Limited on 29.01.2025. In terms of the agreement, the applicant, as a licensor, has granted license to the licensee to use the trade mark 'VELVETTE'.

2. The mark 'VELVETTE' was also assigned by Mr.Harpinder Singh Karla through an assignment deed dated 31.01.2025. The applicant had approached the respondent on 10.03.2025 seeking for recognition of the assignment in her favour. In terms of Rule 76(2) of the Trade Mark Rules, 2017, such an application requires to be disposed of within a period of three (3) months. Yet, despite lapse of more than six months, the application has not been disposed of, the petitioner has moved this Court for the aforesaid



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3. When the matter came up for admission, Mr.K.Balaji took notice for the respondent. He states, on instructions, that the application will be disposed of within a period of six (6) weeks from today. He also states that the application could not be disposed of earlier on account of heavy pressure of work in the office of the respondent.

4. Considering the submission of Mr.K.Balaji that the application will be disposed of within a period of six (6) weeks, there shall be a direction to the respondent to dispose of the application within the said period stated by the learned counsel. The statement of the learned counsel is received as an undertaking given by the respondent to this Court. Needless to add, in case, the application is not disposed of within the time specified, the writ petitioner will be entitled to invoke all the appropriate remedies available to her, for violation of undertaking, not limited to contempt of Court.



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V.LAKSHMINARAYANAN, J

gm/maya

Accordingly, this writ petition is disposed of. No costs.

03.10.2025

Note: Issue today [03.10.2025]

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

gm/maya

To

The Registrar of Trade Marks,
The Office of the Trade Marks Registry,
Intellectual Property Office Building,
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