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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **C.O. (COMM.IPD-TM) 22/2025**

SMITHKLINE BEECHAM LIMITED

.....Petitioner

Through: Mr. Urfee Roomi, Ms. Janaki Arun,
Mr. Jaskaran Singh and Ms. Vanshika
Bansal, Advocates.

versus

HARI OME PANDEY AND ANR

.....Respondents

Through: Ms. Radhika Bishwajit Dubey,
CGSC, with Ms. Gurleen Kaur
Waraich and Mr. Kritarth Upadhyay,
Advocates for respondent no. 2.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

13.05.2025

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1. This is a rectification/ cancellation petition filed under Section 57 of the Trade Marks Act, 1999, seeking cancellation of registration no.5444641



for the trade mark ' **INDUSTRIAL** ' in Class 35 registered in the name of the respondent no.1.

2. As per the orders passed by the Joint Registrar on 20th March 2025, the respondent no. 1 has been served on 20th February 2025. Neither has the respondent no.1 entered appearance nor has respondent no.1 filed any reply.



Consequently, *vide* order dated 6th May 2025, the Joint Registrar closed the right of respondent no.1 to file a reply.

3. Counsel for the petitioner has placed on record the documents evidencing that respondent no.1 has sought withdrawal of the subject trade mark on 6th February, 2025.

4. It appears that the same has not been actioned by the Trade Marks Registry till date, as the status on the Trade Marks website shows the impugned mark to be still registered.

5. In view of the above, a direction is issued to the Trade Marks Registry to act on the request of withdrawal filed on behalf of respondent no.1 and take steps for the removal of the impugned entry from the Register of Trade Marks.

6. The petition stands disposed of.

7. Pending applications, if any, stand disposed of.

8. The Registry is directed to send a copy of this order to the Trade Marks Registry on email llc-ipo@gov.in for compliance.

AMIT BANSAL, J

MAY 13, 2025

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