



\$~27

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

+ **CS(COMM) 170/2025 & I.A. 5091/2025**

MINDA SPECTRUM

ADVISORY LIMITED & ORS.

.....Plaintiffs

Through: Mr. Sandeep Sharma, Senior Advocate
with Ms. Bitika Sharma, Ms. Aadya
Chawla, Ms. Rinkoo Kakkar, Ms.
Nandini Choudhary, Mr. Aman
Dhyani & Ms. Kanchan Senwal,
Advocates.

versus

MR SUNIL KUMAR RAIZADA & ANR.

.....Defendants

Through: Mr. Umesh Mishra & Mr. Aakash
Bhambri, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

09.04.2025

%

1. Written Statement has been filed on behalf of the defendants.
2. Paragraphs no. 7 and 8 of the Written Statement are set out below:

“7. Upon the receipt of the Notice of Opposition by Plaintiffs No. 1 & 2, the Defendants had sought to waiver any of their rights towards the said Trade mark ‘UNISPARX/ ’, THE Defendants did not file any Conter-Statement against the Notice of Opposition of Plaintiffs No. 1 & 2 till date.

8. Additionally, the Defendants had also aimed to stop any further purchase orders being taken under the said Trade Mark ‘UNISPARX/’ with the Defendants hoping to transition from the said Trade Mark and seeking to fulfill all pre-existing purchase orders under the said Trade Mark ‘UNISPARX/ ’.”
3. In view of the aforesaid paragraphs, the stand of the defendants is clear



that they do not wish to use the impugned mark 'UNISPARX/.

4. Since there is no contest to the suit, a decree of permanent injunction is passed in favour of the plaintiff and against the defendants, in terms of prayer clauses (a), (b) and (c) of the plaint.

5. Counsel for the defendants submits that the trade mark application No. 5824834 may be treated as 'abandoned' since the defendants did not file a counter-statement to the notice of opposition filed on behalf of the plaintiff. Hence, the relief claimed in prayer clause (d) stands satisfied.

6. In terms of prayer clause (e), the products which were inventorized by the Local Commissioner shall be returned by the defendants to the plaintiff, within two (2) weeks from today.

7. Counsel for the plaintiff does not press for the remaining reliefs claimed in the plaint.

8. Accordingly, the suit is decreed in the aforesaid terms.

9. Let the decree sheet be drawn up.

10. Pending application stands disposed of.

11. Since the matter has been settled at an initial stage, the Registry is directed to issue a certificate of refund of 100% of the Court Fees in favour of the plaintiff, in terms of Section 16 of the Court Fees Act, 1870.

AMIT BANSAL, J

APRIL 9, 2025/at