



\$~36

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

+ **C.O. (COMM.IPD-TM) 155/2024 with I.A. 35211/2024**

M/S RSPL HEALTH PRIVATE LIMITED

.....Petitioner

Through: **Mr. K.G. Bansal and Mr. S.K. Bansal,**
Advocates

versus

MITTAL INDUSTRIAL CORPORATION & ANR.Respondents

Through: **Mr. Rohan Jaitley, CGSC with**
Mr. Dev Pratap Shani & Mr. Varun
Pratap Singh, Advocates for UoI.
Mr. Rukhmani Bobde, CGSC with
Mr. Jatin Dhamija, Mr. Amlaan
Kumar and Mr. Vinayak Aren,
Advocates for Registry of Trade
Marks

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **24.02.2025**

1. The present petition has been filed under Sections 47, 57 and 125 of the Trade Marks Act, 1999 for removal of the impugned trade mark



, registered under no. 4576112 in Class 3, from the



Register of Trade Marks or rectification of the Register.

2. Subsequently, the matter has been settled between the parties.
3. In terms of the settlement, the respondent no.1 has adopted a new packaging/ trade dress, which is orange and white in colour, to which the petitioner does not have any objection. The petitioner also does not object to the adoption of the mark 'SAGAR SUPREME' by the respondent no.1.
4. The copy of the new packaging/ trade dress adopted by the respondent no.1 has been handed over in Court. The same is taken on record.
5. In view of the above, the present petition is allowed and the Trade Marks Registry is directed to cancel the trade mark registration no. 4576112 in Class 3 in favour of the respondent no.1.
6. The Registry is directed to supply a copy of the present order to the Trade Marks Registry, at e-mail: lrc-ipo@gov.in, for compliance.
7. All pending applications stands disposed of.

AMIT BANSAL, J

FEBRUARY 24, 2025

ds