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

+ C.O. (COMM.IPD-TM) 408/2022

CANON KABUSHIKI KAISHA

Through: Mr. Sushant Singh & Mr. Sourav  
Pattanaik, Advocates.  
versus

MOHAN SINGH & ORS.

Through: None.  
.....Respondent

**CORAM:**  
**HON'BLE MR. JUSTICE TEJAS KARIA**

% **ORDER**  
**22.07.2025**

**I.A.17178/2025**

1. This is an Application filed under Order XXIII Rule 1(3) read with Section 151 of the Code of Civil Procedure, 1908.
2. The Petitioner has filed this Application seeking withdrawal of the present Rectification Petition.
3. It is the case of the Petitioner that the Petitioner had filed a Rectification Application on 22.04.2015 before the learned Intellectual Property Appellate Board (“IPAB”) against the Trade Mark bearing Registration No.405473 for Canon (word) in Class 12 (“**the Mark**”), being aggrieved by the registration granted to Respondent No.1 by Respondent No.2.
4. It is stated by the Petitioner that while preparing the matter for final



arguments, the Petitioner realized that the Mark, which is the subject matter of the present Petition for rectification, was not renewed within the prescribed period which expired on 12.05.2024 and the same was also not restored within the grace period of one year which expired on 12.05.2025.

5. It is submitted by the learned Counsel for the Petitioner that in view of the fact that the registration of the Mark, which forms the subject matter of the present Petition for rectification, has already expired and lapsed on account of non-renewal, the present Petition does not survive and the Petitioner does not wish to press the same.

6. In view of the above, the Petitioner is permitted to withdraw the Rectification Petition with a leave that in the event there occurs a fresh cause of action against Respondents No.1, 3 & 4, the Petitioner will be at liberty to revive the present Rectification Petition or take appropriate steps, in accordance with law.

7. The present Petition is dismissed as withdrawn with the aforesaid liberty.

8. The next date of hearing i.e., 30.07.2025, stands cancelled.

**TEJAS KARIA, J**

**JULY 22, 2025**

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