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WP(IPD) No. 4 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP(IPD) No. 4 of 2026

P.G.Purushan (A) P.G.Purushan Vaidyar
Deepam,
Kuzhimattom P.O,
Kottayam 686 533
Kerala

..Petitioner(s)

Vs

The Registrar Of Trade Marks
The Trade Marks Registry,
IPO Building,
GST Road, Industrial Estate,
Guindy, Chennai 32

..Respondent(s)

PRAYER: Writ Petition (IPD) is filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus, direction to the respondent to renew the Trade Mark No. 1495186 in Class 5.

For Petitioner(s):

Ms.N.Devi

For Respondent(s):

Mr.S. Janarthanam, SPC



ORDER

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The petitioner lodged an application for registration of trade mark ICEEGEL on 10.10.2006 in Class 5. An opposition was lodged in relation thereto on 30.07.2008. Such opposition was withdrawn on 13.09.2022. Pursuant thereto, the trade mark was registered on 08.02.2023. Asserting that the petitioner was unaware about the registration until recently, the petitioner states that he is unable to apply for renewal on account of not having access to the respondent's portal for such purposes.

2. Mr.S.Janarthanam, learned SPC, submits that the petitioner should have applied for renewal within six months from the date of registration as per the Trade Marks Rules. In any event, he admits that no steps have been taken till date for the removal of the petitioner's mark.

3. In *Jaisurya's Retail Ventures Pvt. Ltd. v. The Registrar of Trade Marks*, 2024:MHC:3109, I examined the law on this issue and concluded that the registered Proprietor has the right to seek renewal in circumstances such as those in which the petitioner is placed. The petitioner has asserted that he is unable to access the portal in order to lodge an application for renewal. It is just and necessary that such access be provided to the petitioner.



4. For reasons aforesaid, this petition is disposed of on the following terms:

(i) The respondent is directed to either provide the requisite online access to enable the petitioner to lodge the renewal application or receive a physical application for renewal in the alternative.

(ii) Subject to payment of requisite fees in this regard, the respondent is directed to consider and process the request for renewal upon receipt of the application in this regard.

(iii) No costs.

08-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
RNA

To

The Registrar Of Trade Marks
The Trade Marks Registry,
IPO Building,
GST Road, Industrial Estate,
Guindy, Chennai 32



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SENTHILKUMAR RAMAMOORTHY, J.

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