



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

**A No. 6685 of 2024
in C.S.(Comm.Div)No.97 of 2023**

Taiyo Feed Mill Private Limited,
No.17 A, South Mada Street, Kolathur, Chennai,
Tamil Nadu 600 099.
Represented by its Director Mr.R.S.Prabakar.

..Applicant/Plaintiff

Vs

Tropical Taiyo Aquaculture LLP,
No.1108, L-9d, 9th C Main, 3rd Floor,
Near RPC Layout Bus Stand, Bengaluru,
Karnataka 560 040.

..Respondent/Defendant

Prayer : Application is filed to permit the Applicant/Plaintiff to bring on record the documents as mentioned in Schedule A to the Judge's Summons as additional documents.

For Applicant: Mr. Arun C Mohan

For Respondent: Mr.R.Rubesh Kumar

ORDER

The plaintiff has filed this application to bring on record three additional documents. All three documents are legal use certificates.



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2. The defendant opposes the application on two grounds. The first ground is that the legal use certificate in respect of Trade Mark No.1360566 was valid only up to 30.05.2015. This ground is not tenable inasmuch as the suit was instituted in April 2023 as an action for infringement and passing off. The second ground is that this application has the effect of delaying the proceedings and causing further prejudice to the defendant.

3. While issues have been framed in the suit, the trial is yet to commence. The legal use certificates have been obtained on 11.11.2024. Out of the three legal use certificates, the certificate pertaining to Trade Mark No.2762609 is for a device mark, which is not relevant for the present action. As regards the other two legal use certificates, they relate to the trade mark TAIYO and its formative marks. Therefore, this application is allowed as regards the legal use certificates pertaining to Trade Mark No.1360566 and Trade Mark No.4039737 subject to the right of the defendants to file an affidavit of admission/denial in respect thereof and raise objections, *inter alia*, on the grounds of admissibility, relevance and proof in course of trial.

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SENTHILKUMAR RAMAMOORTHY, J.

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