



\$~57

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

+ **C.A.(COMM.IPD-TM) 4/2026**

VEERENDRA KUMAR SINHA

.....Appellant

Through: Mr. Nupur Sinha, Mr. Asif Khan, Ms.
Suman Prasharkar and Mr. Rajendra
Prasad, Advocates.

versus

THE REGISTRAR OF TRADEMARK AND ANRRespondents

Through: Ms. Nidhi Raman, CGSC with Mr. Om
Ram and Mr. Arnav Mittal, Advocates.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

%

27.01.2026

1. This is an appeal under Section 91 of the Trade Marks Act, 1999 and Rule 156 of the Trade Marks Rules, 2017 challenging the orders dated 05.09.2025 and 29.10.2025 passed by the Registrar of Trade Marks, Delhi rejecting the appellant's Trade Mark application no. 5787410 in Class 45.
2. Mr. Sinha, the appellant in person who is also a counsel practicing in the Courts at Delhi since 2008 states that 'VNS Legal Partners' is a proprietorship alongwith an association of the advocates and the said name has been used by the appellant since the years 2008-09. He submits that he had filed a trademark application No. 5787410 in Class 45 on 01.02.2023 for registration of the trademark "VNS LEGAL PARTNERS" as a word mark. He states that in the said application, the date of use was mentioned as 01.08.2008. He further states that so far as the statement as to use of mark is concerned, the appellant had made it clear that the mark is being used since 01.08.2008 in respect of the goods and services mentioned in the application in Class 45.
3. He submits that alongwith the said application, certain documents were



also filed demonstrating the use from the year 2008-09, like an article in a magazine called “Witness” in which the appreciation of the work rendered by the proprietorship, for which the trade mark is sought to be obtained, was published. The same commences from page 51 onwards to page 58 of the appeal paper book.

4. That apart, he submits that the photocopies etc. of bills issued in the name of VNL Legal Partners by various vendors were also placed in support of the application. He has also filed the copy of the Income Tax Return pertaining to the FY 2025-2026. He states that without even considering the said documents, the Assistant Registrar has rejected the application. He submits that the Assistant Registrar was under an obligation to give reasons for rejection which have not been provided in the impugned orders.

5. *Per contra*, learned counsel appearing for the respondent takes this Court through Document P-1, particularly the statement as to use of mark. He states that though the application was filed on 01.02.2023, however, the use in the statement as to use of mark has been mentioned as 01.08.2008. He submits that the appellant was under a legal obligation to provide sound and substantive documents to prove or establish user since 2008. For the said purpose, he relies upon Rule 25 of the Trade Mark Rules, 2017. He also invites attention of this Court to page nos. 73, 75, 78 and 81 to submit that the receipts which have been filed in support of statement of use do not appear to be genuine and as such, the rejection by the Assistant Registrar cannot be found fault with. He submits that the documents themselves do not inspire confidence as to their genuineness and also the statement of use of the said trade mark sought to be registered.

6. This Court has heard the arguments of the learned counsel for the parties as also perused the impugned orders dated 05.09.2025 and 29.10.2025 in the review application. It would be apposite to extract the order dated 05.09.2025 which reads thus:-



वर्चुअल सुनवाई प्रकोष्ठ / VIRTUAL HEARING CELL
Virtual hearing under rule 115 of Trade Marks Rules 2017

दिनांक/Dated : 05/09/2025

सेवा में/To,

NUPUR S. & ASSOCIATES
FLAT NO 99 POCKET-8A SEC-18 ROHINI DELHI-85

विषय/Subject: आवेदन संख्या/Application No 5787410 वर्ग/Class 45.
के नाम में/In the name of M/s. VEERENDRA KUMAR SINHA.

सुनवाई की तारीख/Date of Hearing : 04/08/2025

महोदय/महोदया,
Sir/Madam,

उपरोक्त ट्रेडमार्क आवेदन संख्या 5787410 को निम्नलिखित कारणों(जो) से व्यापार चिह्न अधिनियम और नियमों के प्रावधानों के अधीन परित्यक्त माना जाएगा।

The above mentioned TM Application No. 5787410 is to be treated as abandoned under the provisions of Trade Marks Acts and Rules due to the following reason(s) -

-that the compliance informed or direction/s raised at the time of hearing has not been complied with.(evidence filed is not satisfactory to claim the user as single applicant and no further evidence filed as per direction)

(RAJANI SINGH)

सहायक रजिस्ट्रार व्यापार चिह्न, भौगोलिक उपदर्शन एवं प्रतिस्पर्धाधिकार
ASSTT. REGISTRAR OF TRADE MARKS, GEOGRAPHICAL INDICATION AND COPYRIGHT

7. It is also necessary to reproduce the order passed by the Assistant Registrar in the review application seeking review of the order dated 05.09.2025. The order dated 29.10.2025 passed in the review application by the Assistant Registrar is extracted hereunder:

Date : 29/10/2025

IN THE MATTER OF Application No. 5787410 filed in the name(s) of
M/s. VEERENDRA KUMAR SINHA
13/3 first floor ,back side ,Indira Vikas colony ,Ankherjee Nagar Delhi -110009

And

IN THE MATTER OF TM-M dated 17/09/2025 filed by
M/s. NUPUR S. & ASSOCIATES
FLAT NO 99 POCKET-8A SEC-18 ROHINI DELHI-85

Hearing Date 27/10/2025 attended by Proprietor VEERENDRA KUMAR SINHA

ORDER

An application for registration of trade mark consisting of word " VNS LEGAL PARTNERS" was filed by the aforesaid Applicant under application No 5787410 in respect of applied goods included in Class - 45. The application was examined and examination report containing the objections to the acceptance of application for registration of trade mark was communicated to the Applicant. On the request of the Applicant, a hearing was fixed in this matter. Eventually on 04 August 2025, the application came up before me for hearing and the order was passed accordingly.

The present petition on form TM-M has been filed for review of the order dated 05 September 2025.

VEERENDRA KUMAR SINHA APPEARED EVIDENCE FILED IS NOT SATISFACTORY TO CLAIM THE USER FOR THE APPLIED MARK SINCE 2008 AS A SINGLE APPLICANT/FIRM . OBJECTION RAISED MAINTAINED AS IT IS . HENCE TM-M NOT ALLOWED.

The request on form TM-M is accordingly Refused.

Sealed and signed at the Trade Marks Registry, Branch Mumbai on dated : 29 October 2025.

(RAJANI SINGH)
ASSTT. REGISTRAR OF TRADE MARKS



8. This Court has perused both the orders, the original order dated 05.09.2025 as also the order dated 29.10.2025 passed in the review application.

9. Apart from just perfunctorily rejecting by noting that the evidence filed is not satisfactory, the Assistant Registrar has not given any indication as to on what grounds the application had been rejected. Even those grounds as were mentioned by the learned counsel for the respondent in the arguments are also not referred to in the impugned orders. The Assistant Registrar was under a legal and statutory obligation to pass a reasonable speaking order rather than rejecting the application in a single sentence.

10. Apart from stating that the directions at the time of hearing have not been complied with or that the evidence filed is not satisfactory, no reasons have been recorded. The recording of reasons is a *sine qua non* and the bedrock for a *quasi-judicial* authority to explain as to why the application is being rejected. This is for the reason that the applicant is entitled to know the grounds of rejection so as to take appropriate measures in order to assail the same.

11. This Court has also perused other documents on which the appellant in person is relying upon. This Court has perused the purported magazine placed at page 51 of the appeal paper book which is claimed to be an article published in the magazine, viz., "Witness". Although the date of such publication is obscure and not clear from the photocopies placed on record, the appellant in person asserts that the same pertains to the period 2008-09. He submits that he has the original magazine with him even today. He also submits that there are other documents like Income Tax Returns and possibly some documents emanating from his office while rendering services as a legal professional, which may be relevant for consideration.

12. In the considered opinion of this Court, the publication in the said magazine may have some relevance so far as the prior user of the trade mark applied for i.e. 'VNS Legal Partners' is concerned. This publication, for



whatever it is worth, has not been considered by the Assistant Registrar. From the perusal of the impugned orders placed on record, this Court is unable to satisfy itself as to on what grounds the application of the appellant has been rejected. Thus, it would be appropriate for this Court to remit the matter back to the Assistant Registrar with the request to reconsider the said application and simultaneously, permit the appellant to file more documents as required under law so as to substantiate his claims under application bearing no. 5787410.

13. The Assistant Registrar is also directed to issue a hearing notice so as to enable the appellant in person to furnish original and additional documents, if any. The Assistant Registrar shall grant a physical hearing to the appellant in person to make good his case. The same may be done within two weeks after the receipt of this order.

14. The Assistant Registrar is requested to decide the application with due expedition.

15. The appeal is allowed and disposed of to the aforesaid extent.

TUSHAR RAO GEDELA, J

JANUARY 27, 2026

Sumit