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

+ C.O. (COMM.IPD-TM) 199/2024

NEW BALANCE ATHLETICS, INC.

.....Petitioner

Through: Mr. Urfee Roomi, Ms. Janaki Arun
and Ms. Anuja Chaudhury, Advocates.

versus

FINDSATOSHI LAB LIMITED & ANR.

.....Respondents

Through: Mr. N. Mahabir, Mr. Prakash C.
Arya, Ms. Noopur Biswas and Ms. Vijay Laxmi,
Advocates for R-1.

Ms. Avshreya Pratap Singh Rudy, CGSC with Ms.
Usha Jamnal, Ms. Nyasa Sharma and Mr. Ankit
Khatri, Advocates for R-2.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

23.02.2026

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1. This petition is filed on behalf of the Petitioner under Section 57 of the Trade Marks Act, 1999 ('1999 Act') seeking cancellation of Registration

No. 5402529 in Class 35 in respect of device mark
registered in favour of Respondent No. 1.



2. Learned counsel for the Petitioner submits that in light of the affidavit filed on behalf of FSL IP PTE Limited stating that the said entity does not wish to maintain the registered Trademark bearing No. 5402529 and contest this petition, the same be allowed and registration of impugned mark be cancelled.



3. Petitioner is the registered proprietor of various trademarks, including the 'N' device marks and seeks cancellation of the impugned mark on the ground that the said mark is deceptively similar to Petitioner's subject mark and the word 'STEP' is insufficient to distinguish the rival marks. During the pendency of this petition, a crucial development has taken place, whereby Respondent No. 1 has, by Deed of Assignment dated 28.11.2024, assigned multiple registered trademarks in India in favour of FSL IP PTE Limited, which includes the impugned mark registered under No. 5402529. In the affidavit filed on 05.02.2026 by FSL IP PTE Limited, it is stated that after the assignment of the impugned mark, it does not wish to maintain the registered trademark, without admitting to the contents of the present

petition and hence, the registered trademark **STEP^N** under Registration No. 5402529 be removed from the Register of Trade Marks. For the sake of reference, comparative of the rival marks is as follows:-

Impugned Registration	Petitioner's N Marks
	

4. Additionally, Mr. Urfee Roomi, learned counsel for the Petitioner draws the attention of the Court to an e-mail dated 26.11.2025 placed on record, whereby the assignee FSL IP PTE Limited has intimated that it does not have an objection to this petition being allowed and the Register of Trade Marks being rectified after cancelling the registration of the impugned mark.



5. In light of the stand taken by FSL IP PTE Limited, as noted above, this petition is allowed. It is directed that registration of the impugned mark



, which is deceptively similar to the registered 'N' marks of the Petitioner, bearing No. 5402529 in Class 35 be cancelled. Registrar of Trade Marks shall remove the trademark from the Register of Trade Marks and rectify the same to maintain its purity. Needful shall be done within 8 weeks from today.

6. Petition is disposed of in the aforesaid terms.

JYOTI SINGH, J

FEBRUARY 23, 2026

S. Sharma