



**IPAB** Intellectual Property Appellate Board

Guna Complex Annexe-I, 2nd Floor, 443 Anna Salai, Teynampet, Chennai-600 018.  
Tele: 24328902/03 Fax: 24328905 mail id: ipab.tn@nic.in Website: http://www.ipab.gov.in

Misc. Petition No. : **MP.NO. 28/2020 & 29/2020 IN**  
Original Application/Appeal No : **SR.NO.178/2019/TM/MUM**

**MACLEODS PHARMACEUTICALS LTD**

**APPLICANT**

Versus

**THE REGISTRAR OF TRADE MARKS**

**RESPONDENTS**

**CORAM**

**HON'BLE SHRI JUSTICE MANMOHAN SINGH** : **CHAIRMAN**  
**HON'BLE DR. ONKAR NATH SINGH** : **TECHNICAL MEMBER (PVPAT)**

**ORDER SHEET**

**28.07.2020**

**Counsel for the Applicant** : **Ms. Archana Sachdeva**  
**Counsel for the Respondent** : **None**

1. The miscellaneous petition has been filed for early hearing. In view of the averments made in the Application, the prayer is allowed. List the main appeal for hearing on 01.09.2020.

sd-/  
**TECHNICAL MEMBER (PVPAT)**

sd-/  
**CHAIRMAN**

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Misc. Petition No. : **MP.NO. 48/2020 IN**  
Original Application/Appeal No : **ORA/10-13/2019/TM/MUM**

**CONSTRUCTION RESEARCH &  
TECHNOLOGY GMBH**

**APPLICANT**

**Versus**

**PIDILITE INDUSTRIES LTD.  
THE REGISTRAR OF TRADE MARKS**

**RESPONDENTS**

**CORAM**

**HON'BLE SHRI JUSTICE MANMOHAN SINGH : CHAIRMAN**  
**HON'BLE DR. ONKAR NATH SINGH : TECHNICAL MEMBER (PVPAT)**

**ORDER SHEET**  
**28.07.2020**

**Counsel for the Applicant : Mr. Neeraj Grover and Mr. Hianshu Deora**  
**Counsel for the Respondent : Mr. Adheesh Naragolkar for R1**

1. The learned counsel for the respondent seeks time to file the counter statement. Let the same be filed within two weeks time with an advance copy to the learned counsel for applicant who may file the response to the counter statement within one month time. Parties are allowed to file the written synopsis by the next date of hearing.
2. List the above mentioned matters on 09.11.2020.

sd-/  
**TECHNICAL MEMBER (PVPAT)**

sd-/  
**CHAIRMAN**

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Misc. Petition No. : **MP.NO. 43/2020 & 44/2020 IN**  
Original Application/Appeal No : **OA/12-13/2020/TM/MUM**

**HINDUSTAN UNILEVER LIMITED**

**APPELLANT**

**Versus**

**THE REGISTRAR OF TRADEMARKS**

**RESPONDENT'S**

**CORAM**

**HON'BLE SHRI JUSTICE MANMOHAN SINGH** : **CHAIRMAN**  
**HON'BLE DR. ONKAR NATH SINGH** : **TECHNICAL MEMBER (PVPAT)**

**ORDER SHEET**

**28.07.2020**

**Counsel for the Appellant** : **Ms. Madhu**  
**Counsel for the Respondent** : **None**

1. The learned counsel appeared on behalf of the appellant seeks an adjournment. As requested, list these matters on 30.07.2020. The application for early hearing is allowed. Counsel for the appellant is agreeable to file the written submissions by the next date of hearing.

sd-/  
**TECHNICAL MEMBER (PVPAT)**

sd-/  
**CHAIRMAN**

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Misc. Petition No. : **MP.NO. 45-47/2020 IN**  
Original Application/Appeal No : **ORA/58/2020/TM/MUM**

**HEWLETT-PACKARD  
DEVELOPMENT COMPANY, L.P.**

**APPLICANT**

**Versus**

**SACHIN VASHULAL ROHRA  
TRADING AS SAIDEEP BAGS  
THE REGISTRAR OF TRADE MARKS**

**RESPONDENTS**

**CORAM**

**HON'BLE SHRI JUSTICE MANMOHAN SINGH : CHAIRMAN**  
**HON'BLE DR. ONKAR NATH SINGH : TECHNICAL MEMBER (PVPAT)**

**ORDER SHEET**

**28.07.2020**

**Counsel for the Applicant : Ms. Niyati Ojha**  
**Counsel for the Respondent : None**

1. Fresh rectification application has been filed for removal of trade mark No.2612517 in class 18. Issue notice to the respondent. Service be effected through e-mail. Upon service, the respondent is granted two months time to file the counter statement with an advance copy to the learned counsel for the applicant who may file the reply to the counter statement by the next date of hearing. Parties are also allowed to file written synopsis by the next date of hearing. In the meanwhile, the operation of the registration No.2612517 in the name of respondent shall remain stayed.
2. List on 19/11/2020.

sd-/  
**TECHNICAL MEMBER (PVPAT)**

sd-/  
**CHAIRMAN**

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Original Application/Appeal No : **OA/11/2020/TM/MUM**

**ENDRESS+ HAUSER WETZER  
GmbH+Co.Kg**

**APPLICANT**

**Versus**

**THE REGISTRAR OF TRADE MARKS**

**RESPONDENTS**

**CORAM**

**HON'BLE SHRI JUSTICE MANMOHAN SINGH : CHAIRMAN**  
**HON'BLE DR. ONKAR NATH SINGH : TECHNICAL MEMBER (PVPAT)**

**ORDER SHEET**

**28.07.2020**

**Counsel for the Appellant : Ms. Ritika**  
**Counsel for the Respondent : None**

1. Fresh appeal has been filed by the appellant under Section 91 of the Trade Marks Act, 1999 against the order dated 19.10.2019 and the statement of ground of decision dated 18/12/2019 passed by the Registrar of Trademarks in respect of registration No.2938107. The appeal filed on 18/03/2020. Registry is directed to issue notice to the respondent. Service be effected through e-mail. Respondent is granted four weeks time to file the counter affidavit. Parties are allowed to file their written synopsis. List on 19.11.2020.

sd-/  
**TECHNICAL MEMBER (PVPAT)**

sd-/  
**CHAIRMAN**

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Original Application/Appeal No : **ORA/118/2013/TM/MUM &  
ORA/127/2013/TM/MUM**

**STAR INDIA PRIVATE LIMITED**

**APPLICANT**

**Versus**

**WINGS ENTERTAINMENT LTD.,  
THE REGISTRAR OF TRADE MARKS**

**RESPONDENTS**

**CORAM**

**HON'BLE SHRI JUSTICE MANMOHAN SINGH : CHAIRMAN  
HON'BLE DR. ONKAR NATH SINGH : TECHNICAL MEMBER (PVPAT)**

**ORDER SHEET**

**28.07.2020**

**Counsel for the Applicant : Mr. Saikrishna Rajagopal  
Counsel for the Respondent : Mr. Bikash Ghorai for R1**

1. Counter statements have been filed. Response if any, be filed by the next date of hearing. List these petitions for hearing on 19.11.2020
2. It is agreeable between the parties that two more petitions being SR.No.486/2012/TM/MUM and ORA/114/2013/TM/MUM, which are pending between the same may also be considered along with these two petitions. Counsel for the applicant is agreeable to supply copies of these two petitions within two weeks time to the counsel for the Respondent No. 1. Upon service, Respondent No. 1 would file Counter Statement with an advance copy to the applicant who may file the response within two weeks time. List on 19.11.2020. Parties are also agreeable to file written submissions by the next date.

sd-/  
**TECHNICAL MEMBER (PVPAT)**

sd-/  
**CHAIRMAN**

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Original Application/Appeal No : **ORA/30/2014/TM/MUM**

**PARKER HANNIFIN FRANCE SAS**

**APPLICANT**

**Versus**

**KANWAR SACHDEVA  
THE REGISTRAR OF TRADE MARKS**

**RESPONDENTS**

**CORAM**

**HON'BLE SHRI JUSTICE MANMOHAN SINGH  
HON'BLE DR. ONKAR NATH SINGH**

**: CHAIRMAN  
: TECHNICAL MEMBER (PVPAT)**

**ORDER SHEET**

**28.07.2020**

**Counsel for the Applicant : Ms. Dhalia and Ms. Mania  
Counsel for the Respondent : None**

1. Ms. Dhalia appears on behalf of the applicant states that service proof has already been filed. No counter statement has been filed by the respondent. The learned counsel for the applicant made their submission. Counsel for the applicant is requested to file the written synopsis by email.
2. Order reserved

sd-/  
**TECHNICAL MEMBER (PVPAT)**

sd-/  
**CHAIRMAN**

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Original Application/Appeal No : **ORA/37/2017/TM/MUM**

**PUMA SE**

**APPLICANT**

**Versus**

**SAFARI INDUSTRIES (INDIA)  
LIMITED  
THE REGISTRAR OF TRADE MARKS**

**RESPONDENTS**

**CORAM**

**HON'BLE SHRI JUSTICE MANMOHAN SINGH : CHAIRMAN**  
**HON'BLE DR. ONKAR NATH SINGH : TECHNICAL MEMBER (PVPAT)**

**ORDER SHEET**

**28.07.2020**

**Counsel for the Applicant : Ms. Niyati Ojha**  
**Counsel for the Respondent : None**

1. Pleadings are complete. Both the parties are allowed to file their written synopsis. List for final hearing on 19/11/2020.

sd-/  
**TECHNICAL MEMBER (PVPAT)**

sd-/  
**CHAIRMAN**

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Original Application/Appeal No : **ORA/15/2019/TM/MUM**

**ABBOTT LABORATORIES**

**APPLICANT**

**Versus**

**LUPIN LIMITED**

**RESPONDENTS**

**THE REGISTRAR OF TRADEMARKS**

**CORAM**

**HON'BLE SHRI JUSTICE MANMOHAN SINGH**

**: CHAIRMAN**

**HON'BLE DR. ONKAR NATH SINGH**

**: TECHNICAL MEMBER (PVPAT)**

**ORDER SHEET**

**28.07.2020**

**Counsel for the Applicant**

**: Ms. Niyati Ojha**

**Counsel for the Respondent**

**: None**

1. Fresh petition has been filed for removal of Trade Mark No.1475051 in Class 5 in the name of respondent No.1. Registry is directed to issue notice to the respondent through e-mail. The respondent No.1 is granted time to file counter statement within 2 months with an advance copy to the applicant who is granted time to file the response by the next date of hearing. Parties are allowed to file written submissions. List on 19.11.2020.

sd-/

**TECHNICAL MEMBER (PVPAT)**

sd-/

**CHAIRMAN**

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Original Application/Appeal No : **ORA/59/2020/TM/MUM**

**VARAHI DIAMONDS AND FINANCE  
LTD  
MR. ASHOK KUMAR MEHRA**

**APPLICANT**

**Versus**

**VINAY RAJKUMAR MEHRA TRADING  
AS MEHRA SONS JEWELLERS  
THE REGISTRAR OF TRADE MARKS**

**RESPONDENTS**

**CORAM**

**HON'BLE SHRI JUSTICE MANMOHAN SINGH : CHAIRMAN**  
**HON'BLE DR. ONKAR NATH SINGH : TECHNICAL MEMBER (PVPAT)**

**ORDER SHEET**

**28.07.2020**

**Counsel for the Applicant : Mr. Sagar Chandra**  
**Counsel for the Respondent : Mr. Sunil Behal**

1. Fresh rectification has been filed for removal of TM No. 1328134 in Class 35 registered in the name of Respondent No.1. Mr. Sunil Behal, the learned counsel appears on behalf of the respondent No.1 and is directed to file the counter statement. Let the same be filed with an advance copy to the applicant who may file the response within one month thereafter. Both the parties are allowed to file written submissions. List for final hearing on 26.11.2020.

2. As pressed, in view of the averments made in the writ petition, it is a fit case that the Registration of the Respondent No.1 bearing the mark under No. 1328134 in class 35 shall remain stayed till the disposal of rectification petition. The order is passed accordingly.

sd-/  
**TECHNICAL MEMBER (PVPAT)**

sd-/  
**CHAIRMAN**

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Misc. Petition No. : **MP.NO. 42/2020 IN**  
Original Application/Appeal No : **ORA/56/2020/TM/MUM**

**M/S. PSYCHOTROPICS INDIA  
LIMITED**

**APPLICANT**

**Versus**

**M/S. NOVITA HEALTHCARE PVT.  
LTD.  
THE REGISTRAR OF TRADE MARKS**

**RESPONDENTS**

**CORAM**

**HON'BLE SHRI JUSTICE MANMOHAN SINGH : CHAIRMAN**  
**HON'BLE DR. ONKAR NATH SINGH : TECHNICAL MEMBER (PVPAT)**

**ORDER SHEET**

**28.07.2020**

**Counsel for the Applicant : Mr. Partha J. Deka**  
**Counsel for the Respondent : Mr. Shailen Bhatia**

1. Fresh rectification petition has been filed. Registry is directed to issue notice to the respondent. Let the counter statement be filed within two months with an advance copy to the applicant who may file the response thereafter. Both the parties are allowed to file their written synopsis by the next hearing date. List on 26/11/2020.

sd-/  
**TECHNICAL MEMBER (PVPAT)**

sd-/  
**CHAIRMAN**

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Original Application/Appeal No : **ORA/57/2020/TM/MUM**

**BLUE HEAVEN COSMETICS PVT  
LTD**

**APPLICANT**

**Versus**

**MYSORE DEEP PERFUMERY HOUSE  
THE REGISTRAR OF TRADE MARKS**

**RESPONDENTS**

**CORAM**

**HON'BLE SHRI JUSTICE MANMOHAN SINGH : CHAIRMAN**  
**HON'BLE DR. ONKAR NATH SINGH : TECHNICAL MEMBER (PVPAT)**

**ORDER SHEET**  
**28.07.2020**

**Counsel for the Applicant : Mr. Partha J. Deka**  
**Counsel for the Respondent : None**

1. Fresh rectification application has been filed for removal of trade mark in the name of respondent No.1. Registry is directed to issue notice to the respondent. Service be effected through e-mail. Upon service, the respondent is granted two months time to file the counter statement with an advance copy to the learned counsel for the applicant who may file the reply to the counter statement by the next date of hearing. Parties are also allowed to file written synopsis by the next date of hearing.
2. List on 26/11/2020.

sd-/  
**TECHNICAL MEMBER (PVPAT)**

sd-/  
**CHAIRMAN**

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Original Application/Appeal No : **OA/10/2020/TM/MUM**

**THE HALAL GUYS INC**

**APPELLANT**

**Versus**

**THE REGISTRAR OF TRADE MARKS**

**RESPONDENTS**

**CORAM**

HON'BLE SHRI JUSTICE MANMOHAN SINGH : CHAIRMAN  
HON'BLE DR. ONKAR NATH SINGH : TECHNICAL MEMBER (PVPAT)

**ORDER SHEET**

**28.07.2020**

Counsel for the Appellant : Ms. Sandhya Singh  
Counsel for the Respondent : None

1. The learned counsel for the appellant states that copy was served to the respondent. No one appears on behalf of the respondent. Counsel for the appellant granted two weeks time to file the written submissions who has argue the matter.
2. Order Reserved.

sd-/  
**TECHNICAL MEMBER (PVPAT)**

sd-/  
**CHAIRMAN**

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