



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>

Tele No: 044-24328903/04

Email: ipab.tn@nic.in

MP NO. 26/2020 IN ORA/74/2019/TM/MUM and ORA/74/2019/TM/MUM

WEDNESDAY, THIS THE 24TH JUNE, 2020

1. **M/S. PUMA SE**

PUMA WAY 1, HERZOGENAURACH,
91074, GERMANY

Applicant

(Represented by: Shri Sashi Ojha)

Versus

1. **AYURVEDANT PVT. LTD**

D-28, GREATER KAILASH ENCLAVE,
PART-I, NEW DELHI-110048.

2. **THE REGISTRAR OF TRADE MARKS**

TRADE MARKS REGISTRY, ANTOP HILL,
MUMBAI – 400037.

Respondents

(Represented by : None)

CORAM

HON'BLE SHRI JUSTICE MANMOHAN SINGH

: CHAIRMAN

HON'BLE DR. ONKAR NATH SINGH

: TECHNICAL MEMBER (PVPAT)

ORDER

HON'BLE JUSTICE SHRI MANMOHAN SINGH

An urgent petition has been filed. On behalf of the applicant, Puma SE, the counsel had filed a cancellation petition against the mark Puma(Device) under registration No. 392404 in class 3. During the pendency of the cancellation proceedings, the applicant had also filed a civil suit at the District Court, Tis Hazari being CS(COMM) 2095/2019 for infringement, passing off, damages, etc. against the respondent No.1. Now the parties had arrived at a compromise and vide order dated 22.02.2020, the court decreed the suit in favour of the applicant. As per clause 3(III) of settlement application, the respondent No.1 agreed to withdraw impugned registrations and further agreed not to oppose the subject cancellation petitions. In view of the settlement for the reasons stated, the same is allowed. The respondent No.2 is directed to remove the trade mark under registration No. 392404. No costs.

Sd-/

Sd-/

(Dr. Onkar Nath Singh)
Technical Member (PVPAT)

(Justice Manmohan Singh)
Chairman

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