



IPAB Intellectual Property Appellate Board
balancing appropriation

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**MP. NO. 125/2020 IN
ORA/14/2020/TM/MUM
&
ORA/14/2020/TM/MUM**

THURSDAY, THIS THE 17TH DAY OF SEPTEMBER, 2020

Hon'ble Shri Justice Manmohan Singh
Hon'ble Ms. Lakshmidevi Somanath
Hon'ble Mr. Makyam Vijay Kumar

...Chairman
...Technical Member (TM)
...Technical Member (TM)

PUMA SE
PUMA WAY 1,
91074 HERZOGENAURACH,
GERMANY

...Applicant

(Represented by – Ms. Niyati Ojha)

Vs.

1. XUZHOU YOUZHECANG ELECTRONIC
COMMERCE CO., LTD.
ROOM 109, NORTH BUILDING 1,
NO. 76, JINLUOTUO INDUSTRIAL PARK,
YUNLONG DISTRICT,
XUZHOU JIANGSU, CHINA
2. THE REGISTRAR OF TRADE MARKS
TRADE MARKS REGISTRY, IR DIVISION,\
BOUDHIK Sampada Bhavan,
S.M. ROAD, DOSTI ACRES,
ANTOP HILL, MUMBAI,
MAHARASHTRA - 400 037

...Respondents

(Represented by – None represented)

ORDER

Hon'ble Shri Justice Manmohan Singh, Chairman

1. The present application has been filed for removal of trademark having International Registration No.1457545 & IRDI No.4127226 in Class 25 registered in the name of respondent No.1.
2. Ms. Niyati Ojha, learned counsel appears on behalf of the Applicant. Learned counsel appearing on behalf of the Applicant states that the respondent No.1 had filed a request at the World International Property Organisation (WIPO) to cancel the International Registration, the same was effectuated by WIPO on July 16, 2020 and based on which Respondent No.2 has cancelled the International Registration designating India. In view of the above, the

Original Rectification Application No.ORA/14/2020/TM/MUM is dismissed as withdrawn. Accordingly, the Miscellaneous Petition No.125 of 2020 becomes in fructuous.

3. No costs.

-Sd/-

Ms. Lakshmidevi Somnaath
Technical Member (Trademarks)

-Sd/-

Shri Makyam Vijay Kumar
Technical Member (Trademarks)

-Sd/-

Hon'ble Shri Justice Manmohan Singh
Chairman

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