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

+ C.O. (COMM.IPD-TM) 185/2023 & I.As. 12836-12837/2023

SUN PHARMA LABORATORIES LTD. Petitioner

Through: Mr. Sachin Gupta and Mr. Manan Mondal, Advocates.

versus

PERILLA LIFE SCIENCE P. LTD & ANR. Respondents

Through: Ms. Ipsita Katakya, Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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14.05.2024

1. The present petition seeks cancellation of trademark “G-VER”¹, registered under No. 5040466 in Class 5 in the name of Respondent No. 1.
2. Petitioner has alleged that the Impugned Mark has been erroneously registered in contravention to Sections 9, 11 and 18 of the Trade Marks Act, 1999². Although reply to the petition has not been filed, however, Ms. Ipsita Katakya, counsel for Respondent No. 1, on instructions, states that her client has discontinued use of the Impugned Mark and has no objection to the said mark being cancelled.
3. In light of the above, the present petition is disposed of with a direction that Respondent No. 1 shall file an appropriate application/ Form for cancellation of the Impugned Mark “G-VER” within two weeks from today. As and when such an application is filed, the same shall be processed

¹ “Impugned Mark”

² “the Act”



by the Registrar of Trade Marks expeditiously.

4. Disposed of, along with pending applications.

MAY 14, 2024
d.negi

SANJEEV NARULA, J