



IPAB Intellectual Property Appellate Board

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ORA/8/2020/TM/AMD

TUESDAY, THIS THE 27TH DAY OF OCTOBER, 2020

HON'BLE SHRI JUSTICE MANMOHAN SINGH : CHAIRMAN
HON'BLE MS. LAKSHMIDEVI SOMANATH : TECHNICAL MEMBER (TM)
HON'BLE MR .MAKYAM VIJAY KUMAR : TECHNICAL MEMBER (TM)

PUMA SE
PUMA WAY 1,
HERZOGENAU RACH, 91074
GERMANY

...Applicant

(Represented by – Mr. Abhishek Nangia)

Vs.

1. ALKA CHOUDHARY
TRADING AS BENIVAL ALLOYS
PLOT NO. 24, SHANKAR COLONY, NAYA KHEDA,
AMBABARI,
JAIPUR (RAJASTHAN) INDIA

...Respondent 1

2. THE REGISTRAR OF TRADE MARKS
TRADE MARKS REGISTRY,
BOUDDH KAMPADA BHAWAN,
NEAR CHANAKYAPURI OVER BRIDGE,
BESIDES AMC CITY CIVIC CENTRE,
GHATLODIA,
AHMEDABAD – 380 061

...Respondent 2

(Represented by – None)

ORDER

HON'BLE SHRI JUSTICE MANMOHAN SINGH, CHAIRMAN

1. The fresh petition has been filed for rectification of trade mark registered under No.3078154 in Class 35 registered in the name of respondent No.1. It has been noticed from the record that on 26.12.2018 the respondent No.1 has sent letter to the respondent No.2 to withdraw his application. The said letter was received by the Trade Mark office on 15.01.2019. Despite the said letter, in routine course the Registration Certificate was issued to the respondent No.1 on 01.03.2019. It is evident that the Registration certificate has been issued to the respondent No.1 due to oversight. No notice is required to send the petition to the

respondent no.1 as respondent No.1 has filed letter to withdraw the application. Accordingly prayer for the main petition is allowed. The Trade Mark registered under No. 3078154 is removed from the register. Copy of the order be sent to respondent No.2 for removal of the mark forthwith.

-Sd/-

Ms. Lakshmidēvi Somnaath
Technical Member (Trademarks)

-Sd/-

Shri Makyam Vijay Kumar
Technical Member (Trademarks)

-Sd/-

Hon'ble Shri Justice Manmohan Singh
Chairman

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