

26.09.2016

Present: Sh. M.K. Miglani and Sh. Jatin George, counsel for the plaintiff
Sh. Kamal Anand, counsel for all defendants

On the pleadings of the parties following issues are framed:-

1. Whether plaintiff is entitled to decree of perpetual injunction against defendants for adopting and using impugned trade mark 'AGNI' trade-name PALLADIUM AGNI, SAFETY DEVICES, AGNI SAFETY EQUIPMENTS, AGNI SAFETY DEVICES being proprietor as prayed? OPP

2. Whether the defendants are guilty of infringement of the registered trademark AGNI of the plaintiff and passing off its goods and business as that of the plaintiff by using trademark/trade name/ domain name/ email address comprising of the word AGNI? OPP

3. Whether plaintiff is entitled to delivery of all impugned incriminating material therein mark 'AGNI' trade-name PALLADIUM AGNI, SAFETY DEVICES, AGNI SAFETY EQUIPMENTS, AGNI SAFETY DEVICES under the possession and control of defendants for destruction? OPP

4. Whether the plaintiff is entitled to damages to the tune of Rs. 5 lacs ? OPP

5. Whether the plaintiff is entitled for rendition of accounts of profit earned by defendants on the sale of goods with impugned trade mark 'AGNI' trade-name PALLADIUM AGNI, SAFETY DEVICES, AGNI SAFETY EQUIPMENTS, AGNI SAFETY DEVICES? OPP

6. Whether suit is not maintainable in view of the preliminary objections taken by the defendants? OPD

Contd... 2

7. Whether numerous objections have been filed before the Registrar of Trademarks against the plaintiff's registered trademark AGNI, if so, to what effect? OPD

8. Relief

No other issues arises or pressed. Put up the case for filing of **list of witnesses and affidavit of the witnesses to be examined by the plaintiff on 21.11.2016.**

**(SANJAY KUMAR)
ADJ-02-West/ Delhi
26.09.2016**