

Witness recalled and duly sworn on 03.09.2022.

Further examination by Sri. N.L.S. Advocate:- NIL

Cross examination by Sri. M.N.P. Advocate:-

3. I filed this case against the Defendant as they have misused my trademark. I am a B.A. Graduate. It is false to suggest that, Karthikeya Technologies Pvt. Ltd., and Karthikeya Crop Technologies are different entities. It is true to suggest that, in Ex.P.7 the name of the company is only shown as Karthikeya Crop Technologies. The witness volunteers that, both are one and the same. It is true to suggest that, I have filed one more suit in OS 168/2021 at Hyderabad against Karthikeya Crop Technologies. It is true to suggest that, the 1st Defendant in the said suit is Karthikeya Crop Technologies only and not Karthikeya Technologies Pvt. Ltd., It is false to suggest that, I have not produced any documents to show that, these two firms are one and the same. I can produce the documents in this regard. It is false to suggest that, I have no such documents and as such has not produced the same before the Court to prove that, these two firms are one and the same.

4. It is false to suggest that, the 2nd Defendant did not misused any trade marks belongs to us and has not committed any offence. It is false to suggest that, the 2nd Defendant has no connections with regard to the facts of this case. It is true to suggest that, I and one Harinath Jekula were working for Super Agri Seeds Pvt. Ltd., situated at 5th Floor, Aakashganga, Srinagar Colony, Hyderabad. It is true to suggest that, one Ravi Srinavas was the Managing Director of the Super Agri Seeds Pvt. Ltd., I don't know whether the said company was the registered company or not.

5. It is true to suggest that, now the document shown to me contains my signature. The document admitted is marked at Ex.D.1 and the signature at Ex.D.1(a) for the purpose of identification. It is false to suggest that, Super Agri

Seeds Pvt. Ltd., is registered Super Aman as SPV-135 before Protection of Plant Varieties (PPV) and Formers Right Authority (FRA). The witness volunteers that, Super Aman belongs to him only. It is true to suggest that, Super Agri Seeds Pvt. Ltd., went into liquidation. It is true to suggest that, one Ravi Srinivas filed IP petition before NCLT, Hyderabad. Witness Admits one more document confronted to him, the Memorandum of Understanding and the same is marked at Ex.D.2.

6. I am not aware as to whether Super Seeds Pvt. Ltd., Delhi based company files a petition for cancellation of the plaintiff's trademark. It is false to suggest that, though I am aware of this aspect I am deposing false. It is false to suggest that, after coming out of Super Seeds Pvt. Ltd., I and others are misusing the privileges which we had earlier while working with Super Seeds Pvt. Ltd., It is true to suggest that, the plaintiff's company get registered on 21.08.2019. The witness volunteers that, the company was established much earlier to it but, registered on that day. It is false to suggest that, all the allegations made in the plaint are false. I know the defence taken by the 2nd Defendant in this case. It is false to suggest that, though we are aware of that Karthikeya Crop Technologies and Karthikeya Crop Technologies Pvt. Ltd., are different entities, filed a false suit by making false allegations. I can produce the copy of the plaint in OS 168/2021.

RE-EXAMINATION: NIL

TYPED TO MY DICTATION IN THE OPEN COURT.

R. O. I. & A. C.,

03.09.2022

[M.L. Raghunath]

PRL. DISTRICT JUDGE, MYSURU.