

O.S.No.34/2026

By looking to order sheet and records it is found that though IA No.1 to 4 are mentioned in the order sheet, the application mentioned as IA No.1 is not found in the file. Hence applications numbered as IA.No.2 to 4 and renumbered as IA.No.1 to 3.

Plaintiff filed IA No.1 to 3 under Order XXXIX Rule 1 and 2 r/w Section 151 of CPC seeking Temporary Injunction to restrain Defendant, his Legal Heirs, Associates, Assignee, Agents, Employees or any other person claiming under or through him jointly and severally

1. From manufacturing, selling, marketing offering for sale or in any manner using or infringing the Plaintiff registered trade marks Gayathri Coffee or any other mark that may be identical or deceptively similar to the registered trade marks of the Plaintiff.

2. From infringing the Plaintiff's copy right by using or making either literal or substantial reproduction or copying of the Plaintiff's artistic work in its trade mark or

packaging with respect to colour scheme, get up and lay out for their deceptive trade mark of packaging.

3. From manufacturing, selling, marketing, offering for sale or in any manner passing off the Plaintiff's goods as his by using the trade mark "Sri Gayathri Coffee" till the disposal of the suit in the interest of justice and equity.

On perusal of the plaint averments and Affidavit and documents filed by the Plaintiff it appears that Plaintiff has got prima-facie case hence, it is necessary to issue interim order against the Defendant as claimed in I.A.No.1 to 3. Hence, the following :-

ORDER

Defendant, his legal heirs, associates, assignee, agents, employees or any other person claiming under or through him jointly and severally restrained

1. From manufacturing, selling, marketing offering for sale or in any manner using or infringing the Plaintiff

registered trade marks Gayathri Coffee or any other mark that may be identical or deceptively similar to the registered trade marks of the Plaintiff.

2. From infringing the Plaintiff's copy right by using or making either literal or substantial reproduction or copying of the Plaintiff's artistic work in its trade mark or packaging with respect to colour scheme, get up and lay out for their deceptive trade mark of packaging.

3. From manufacturing, selling, marketing, offering for sale or in any manner passing off the Plaintiff's goods as his by using the trade mark "Sri Gayathri Coffee" till next date of hearing.

Plaintiff shall comply Order 39 Rule 3(A) CPC.,

Issue notice of Exparte Order on IA No.1 to 3, Notice of I.A.No. 1 to 3 and summons to the Defendant.

Call on : **16.04.2026.**

II Addl. District & Sessions Judge,
Mysuru.