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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 502/2019 and I.A. 12667/2019, 14663/2019,**
14666/2019, 16338/2019, 494/2020

MALABAR GOLD PRIVATE LIMITED

..... Plaintiff

Through: Mr. Bishwajit Dubey, Ms. Surabhi
Khattar, Mr. Prafful Goyal and Ms.
Yashvi Agarwal, Advocates (M:
9910224345).

versus

MANUVEL MEZHUKANAL

..... Defendant

Through: Mr. Pranav Krishna, Mr. Varun
Dewan, Advocates.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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19.10.2022

1. This hearing has been done through hybrid mode.
2. The present suit has been instituted by the Plaintiff - Malabar Gold Pvt. Ltd., alleging infringement of the Plaintiff's registered trademark, passing off, rendition of accounts etc, against the Defendant - Manuvel Mezhukanal, trading as Malabar Fashion Jewellers. The Plaintiff carries out business in jewellery, and other articles of gold, silver, precious stones, diamonds and watches. It has several registered trademarks, as enumerated in paragraph 11 of the Complaint.
3. Today, it is submitted by the Id. Counsel for the Defendant that the Defendant has changed its logo from the earlier impugned logo, to the current logo, which depicts 'Manuvel' and 'Malabar', equally prominently. Both logos have been extracted hereinbelow:



Old Logo	New Logo

4. Ld. Counsel for the Defendant further submits that the Defendant is open to exploring an amicable resolution of the disputes between the parties, and wishes to be referred to mediation. Ld. Counsel for the Plaintiff wishes to seek instructions regarding the same.

5. If the parties are not willing to explore mediation, the matter shall be heard on the next date, as the question which arises in this case is whether the Plaintiff would be entitled to a monopoly over the word ‘Malabar’, in respect of jewellery items.

6. Accordingly, list on 9th December, 2022.

PRATHIBA M. SINGH, J.

OCTOBER 19, 2022
MR/SS