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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 410/2018, IA No.3995/2008 (u/O XXXIX R-1&2 CPC) & IA No.8700/2014 (u/O XXXIX R-2A CPC) & IA No.8924/2014 (u/O XXXIX R-4 CPC)

(INDIA TV) INDEPENDENT NEWS

SERVICE PVT. LTD.

..... Plaintiff

Through: Mr. Sandeep Sethi, Sr. Adv. with Mr. Kapil Midha & Mr. Rohan Swarup, Advs.

Versus

INFORMATION TV & ORS.

..... Defendants

Through: Ms. Mudrika Bansal, Adv. for D-1.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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30.10.2018

1. The counsel for the defendant no.1 states that the trade mark 'INDIANEWS' of the defendant no.1 has since been registered and an application for amendment of the written statement is required to be filed. On enquiry as to when the mark of the defendant no.1 was registered, it is stated that though it was registered as far back as in the year 2014 but owing to the defendant no.1 having changed its address, the communication with respect thereto was not received by the defendant no.1 and the defendant no.1 has learnt of the same yesterday only by checking the website of the Registrar of Trade Marks. However, there is no explanation as to why the website was not checked earlier.
2. In this view of the matter, today's adjournment is granted subject to defendant no.1 paying costs of Rs.1 lac to the counsel for the plaintiff as a condition for taking any further steps in this suit.
3. List for hearing on 10th January, 2019.

RAJIV SAHAI ENDLAW, J.

OCTOBER 30, 2018/'gsr'..