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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **C.A.(COMM.IPD-TM) 38/2025 & I.A. 17917/2025**

CJ CHEILJEDANG CORPORATION

.....Appellant

Through: Mr. J. V. Abhay, Mr. Madhur Chopra
and Mr. Abhineet Kalia, Advocates

versus

THE REGISTRAR OF TRADE MARKS

.....Respondent

Through: Ms. Manisha Agrawal Narain, CGSC
with Mr. Nipun Jain, Advocates

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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16.09.2025

I.A. 17917/2025 (for exemption)

1. This is an application filed under Section 151 of the Code of Civil Procedure, 1908 ['CPC'] seeking exemption from filing certified copy of the impugned order dated 21.04.2025.
2. Subject to the Appellant filing the certified copy of the impugned order dated 21.04.2025 within four (4) weeks from today, exemption is granted for the present.
3. The application is disposed of.

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4. Learned counsel for the Respondent seeks further opportunity to file its reply, which is opposed.
5. The Respondent is granted last opportunity to file its reply and/or written submissions within four (4) weeks, failing which, the right to file its reply and/or written submissions shall stand forfeited.
6. The Appellant will be at liberty to file its response, if any, within four (4) weeks thereafter.



7. Learned counsel for the Appellant states that Appellant is more specifically aggrieved by the observations in the impugned order, which reads as under: -

“The applicant has no bona fide adoption of the subject mark as the cited mark is prior to the subject mark in respect of the similar applied specification.”

7.1 He states that Respondent failed to take into consideration Appellant’s registration for the same mark i.e., TM No. 5748804 (word mark) in Class 31 and TM No. 5750062 (device mark) also in Class 31.

7.2 He states that Class 1 and Class 31 are alike classes and the abovementioned observation in the impugned order would seriously prejudice the Appellant’s right while enforcing its statutory rights under TM No. 5750062 (device mark) and TM No. 5748804 (word mark).

8. In view of the aforesaid submissions of the Appellant, this Court is satisfied that, at prima facie stage and pending final determination of this petition, the aforesaid observation in the impugned order warrants a stay.

9. Accordingly, until the final disposal of this petition, the said observations (extracted at paragraph 7 above) in the impugned order are stayed.

10. List the matter before the Ld. Joint Registrar (J) on **29.10.2025**.

11. List the matter before the Court on **18.12.2025**.

MANMEET PRITAM SINGH ARORA, J
SEPTEMBER 16, 2025/rhc