



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2026

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

OP(TM) Nos. 3 to 6, 8 to 18 & 53 of 2024
and (TM)A.Nos. 79 of 2024 & 50 of 2025

OP(TM)/3 to 6, 8 to 18, 53 of 2024 & (TM)A/79/2024:

Stove Kraft Limited

An Indian Company, Rep by its Authorized Signatory, Having its Registered
Office at No.81/1, Medamaranhalli, Harohalli, Kanakapura Taluk,
Ramnagara District 562112

... Petitioner in all OP's

... Applicant in (TM)A/79/2024

-VS-

The Registrar of Trademarks

The Trademark Registry, Intellectual Property Rights Building,
Industrial Estate, SIDCO RMD, Godown area, GST Road,
Guindy, Chennai 600032 and another

... Respondents in all OP's and (TM)A/79/2024

(TM)A/50/2025:

Sree Mukesh Marketing

Represented by one of its partner Mr. Kalpesh A Jain

Having its Registered office at No.1, Raja Annamalai Road,
Purasawalkam, Chennai, Tamil Nadu- 600 084

... Applicant

-VS-



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Stove Kraft Limited
Represented by Authorised Signatory Ms. Sushmita Das,
No.81/1, Medamaranhalli, Harohalli, Kanakapura Taluk, Ramnagara District
562112 and another
... Respondents

In all OPs.

For Petitioner : Mr.M.S.Bharath

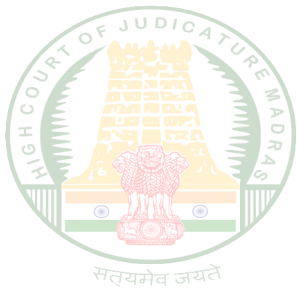
For Respondents : Mr.K.Subbu Ranga Bharathi, CGSC for R1
Ms.S.Shruthi for Mr. Arun C.Mohan for R2

ORDER

By these petitions, the petitioner seeks rectification of the register of trade marks by removing the entry relating to the trade mark 'PIGEON' therefrom. Upon completion of pleadings, both parties submitted draft issues.

2. Considering the pleadings, documents and draft issues, the following common issues are framed:

“(i) Whether OP(TM)No.53 of 2024 is maintainable?”



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(ii) Whether the petitioner or the second respondent is the prior adopter and prior user of the mark PIGEON?

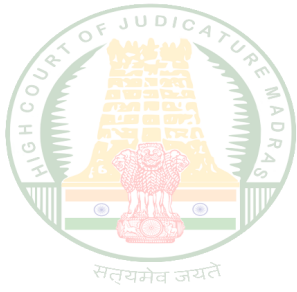
(iii) Whether the second respondent had filed the applications for the impugned registrations in violation of the memorandum of understanding dated 21.12.2007?

(iv) Whether the filing of such applications is justified on account of the breach of the memorandum of understanding by the petitioner?

(v) Whether the impugned marks were registered in contravention of Section 9(2) of the Trade Marks Act, 1999 (the TM Act)?

(vi) Whether the impugned marks were registered in contravention of Section 11 of the TM Act?

(vii) Whether the entry relating to the impugned marks was made without sufficient cause?



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SENTHILKUMAR RAMAMOORTHY,J.

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(viii) Whether the petitioner has acquiesced in the use of the impugned marks by the second respondent?

(ix) Whether the parties are entitled to any other reliefs?”

3. Both the contesting parties are directed to agree upon and submit a common proposed schedule for recording evidence. In the alternative, parties may obtain instructions and report as to whether documents may be marked by mutual consent. List the matter on 18.03.2026.

04.03.2026

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