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**C.S.(Comm.Div).No.73 of 2023**  
**and**  
**O.A.Nos.257 and 258 of 2023**  
**and A.No.1836 of 2023**

**P.T.ASHA, J,**

The learned counsel for the plaintiff has filed draft issues. This Court on consideration of pleadings and after hearing of the learned counsel for the plaintiff and defendant, framed following issues for trial:-

*"(i) Whether the plaintiff is the registered proprietor of the trademark JASS with respect to goods under Class 3?*

*(ii) Whether the plaintiff is the prior user of the trademark JASS?*

*(iii) Whether the defendant's trademark JAAS is identical or deceptively similar to the plaintiff's registered mark JASS?*

*(iv) Whether the defendant is the prior user of the trade name "JSR JAAS", as the artistic work, design and font was originally used by the defendant?*

*(v) Whether the plaintiff can claim a right to the trademark JAAS when the defendant has opposed the registration of the same as early as in the year 2018?*

**P.T.ASHA, J,**



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(vi) *Whether the plaintiff's suit for infringement is delayed as the plaintiff had knowledge about the infringement admittedly from the year 2018 onwards?*

(vii) *Whether the plaintiff is entitled to claim reliefs as prayed in the plaint?*

(viii) *To what other reliefs?*

2. For filing the case management schedule, post the matter on 13.10.2023.

29.09.2023

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