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O.A.Nos.1143 and 1144 of 2025

in C.S(Comm.Div)No.319 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2026

CORAM:

**THE HONOURABLE MR. JUSTICE SENTHILKUMAR
RAMAMOORTHY**

O.A.Nos.1143 and 1144 of 2025

in C.S(Comm.Div)No.319 of 2025

Spalon India Private Limited
represented by its Authorised Signatory
Ms.Sneh Asit Koticha,
2nd Floor, Saba House,
No.209/A, St. Mary's Road,
Alwarpet, Chennai – 600 018.

... Applicant in
both applications

vs.

Mr.Suresh
Sole Proprietor of Bounce, The Family Saloon,
D.No.10-53-265/5, Near Pydah Degree College,
Opp. Bombay Food Zone,
Raghavendraswamy Temple Down Road,
Ram Nagar – 530 002,
Visakhapatnam.

... Respondent in
both applications

For Applicant

: Mr.M.S.Bharath
in both applications



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COMMON ORDER

In a suit seeking remedies in respect of alleged trademark infringement and passing off, the plaintiff has presented these applications seeking interim relief.

2. At the hearing on 10.12.2025, notice was issued to the respondent/defendant, including by way of private notice. The plaintiff has filed an affidavit of service dated 17.12.2025 stating that private notice was returned as 'refused' on 13.12.2025. The documents annexed with the affidavit include the returned postal cover with the endorsement 'refused'. The respondent/defendant has not entered appearance till date. Therefore, the matter is being proceeded with in the absence of the respondent/defendant.

3. Learned counsel for the plaintiff invited my attention to the registration of the word mark BOUNCE in Class 44 in relation to hygiene and beauty care. He also points out that multiple word and device mark registrations were obtained by the plaintiff by asserting use since 12.02.2004. He next invited my attention to the impugned marks BOUNCE THE FAMILY SALOON and BOUNCE SALOON. In spite of issuance of cease and desist notice before filing the suit, he submits that the defendant did not even respond thereto.



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4. The plaintiff has placed on record evidence that it is the prior user of the mark BOUNCE from 12.02.2004. The defendant's marks contain the word BOUNCE. Both the plaintiff and the defendant are engaged in the provision of identical services.

5. Considering the aforesaid, it is likely that the usage of the impugned marks would cause confusion or deception to the relevant section of the public. Unless restrained at this juncture, it is also likely that irreparable hardship would be caused to the plaintiff. Therefore, the order of interim injunction as prayed for in these two applications is granted until the next date of hearing.

6. List on 28.01.2026. Plaintiff is permitted to communicate this order to the defendant.

05.01.2026

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SENTHILKUMAR RAMAMOORTHY,J.

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