

CIVIL ORIGINAL JURISDICTION

ARBITRATION PETITION NO. 24 OF 2007

Genesis Colors Private Limited Petitioner(s)

Versus

Saffron International Respondent(s)

ORDER

- 1) Heard learned counsel for the respective parties.
- 2) This is a petition under Sections 11(6) and 11(9) of the Arbitration and Conciliation Act, 1996 for appointment of a sole Arbitrator to adjudicate upon the disputes that have arisen between the petitioner-Company and the respondent-Company under the Agreement dated 6.4.2006.
- 3) The petitioner and the respondent entered into an Agreement on 6.4.2006 whereby according to the petitioner, they appointed the respondent as its non-exclusive distributor to market, sell and distribute their brand "SATYAPPAUL" products on the West Coast of USA and Western Canada. The petitioner terminated the said agreement by letter dated 21.8.2006 and called upon the respondent to cease to utilize the trademarks and other IPR of the petitioner for which notice was duly received by the respondent, but the respondent unauthorizdly continued to represent itself to be the exclusive distributor for "SATYAPPAUL" products for the petitioner and continued to use the trademarks and IPR of the petitioner.
- 4) The petitioner served a legal notice on 11.12.2006 on the respondent calling upon the respondent to cease and desist from representing itself to be the exclusive distributor for "SATYAPPAUL" products of petitioner and from marketing, selling and supplying any of its products under "SATYAPPAUL" trademark, to render the accounts and to pay the damages, and in case the respondent fail to comply with the said demands then to refer the

(With appln(s) for exemption from filing the original or certified true copy of the arbitration agreement dated 6.4.2006)
[with office report]
[for orders]

Date: 02/09/2008 This Petition was called on for hearing today.

BEFORE HON'BLE MR. JUSTICE P.SATHASIVAM

For Petitioner(s) Mr. Rahul Gupta, Adv.
Mr. Bhargava V. Desai, Adv.

For Respondent(s) Ms. Lavanya K.Y., Adv.
Mr. S.K. Verma, Adv.

UPON hearing counsel the Court made the following
ORDER

The arbitration petition is ordered in terms of the signed
order.

(Pardeep Kumar)
Court Master

(Neeru Bala Vij)
Court Master

[SINGED ORDER IS PLACED ON THE FILE]