

(2023) 08 DEL CK 0002

In the Delhi High Court

Case No : C.O. (COMM.IPD-TM) No. 205 Of 2022

Okaya Power Private Limited

Date of Decision : 01-08-2023

Acts Referred:

Trade Marks Act, 1999 — Section 57

Citation : (2023) 08 DEL CK 0002

Hon'ble Judges : C.Hari Shankar, J

Bench : Single Bench

Advocate : Ankit Sahni, Chirag Ahluwalia, Manoj Bansal

Final Decision : Allowed

Judgement

C. Hari Shankar, J

1. This is a petition under Section 57 of the Trade Marks Act 1999 whereby the petitioner has sought cancellation and removal, from the register of the Trade Marks, of the mark "OKAWA", registered in class 9 in favour of the respondent Manoj Bansal, vide Registration No. 3072155.

2. On 13 July 2023, Mr. Manoj Bansal appeared before the learned Joint Registrar and made a statement that he was not desirous of continuing to use the impugned trade mark "OKAWA" and that he had no objection if the mark was removed from the register of the Trade Marks and the register was rectified accordingly.

3. Mr. Manoj Bansal is present today, albeit virtually. He reiterates the said statement.

4. Accordingly, the Registry of Trade Marks is directed, forthwith, to rectify the register of Trade Marks by removal, therefrom, the mark "OKAWA" registered in favour of the respondent Manoj Bansal, in class 9 vide Registration No. 3072155.

5. This petition stands allowed accordingly.