Back to basics: Division bench clarifies jurisdiction objections

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Shrawan Chopra and Abhilasha Nautiyal discuss recent judgments of the Delhi High Court in quia timet actions instituted by trade mark rights holders. In two recent judgments, a division bench of the Delhi High Court examined objections taken by defendants with respect to territorial jurisdiction of the court. In the two cases before the court, the plaintiff had claimed, inter alia, that it feared a violation of its rights by the defendants in Delhi and therefore a part of the cause of action had arisen in Delhi. This gave jurisdiction to the Delhi High Court to try these lawsuits. Another part of the plaintiff's argument on jurisdiction was that the plaintiff carried on business in Delhi and therefore an overlap of the plaintiff's business and cause of action existed in Delhi. Thus, the Delhi High Court had jurisdiction under the division bench judgment of Ultra Homes (2016). *Continue reading the article on Asia Business Law Journal.*

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