Spalon India Pvt Ltd and Anr vs Ms Poonam S Sharma and Ors, CS 766 of 2018

News & Updates • May 8, 2019

The Madras High Court has passed a unique order in one of our infringement suits for the trademark "BOUNCE". Chitra Subbiah and Harini from our Chennai team share their views on the same "An ex parte Interim Injunction order was passed by the Hon'ble Court in November 2018 against the Defendants' use of the trademark "BRAIDS AND BOUNCE" for their salons in Mumbai. Since the Defendants had not entered appearance nor responded to any of our notices for almost a year (despite substitution of service), the Learned judge issued a bailable warrant vide order dated March 28, 2019, summoning the Defendant to be present for the next hearing on April 29, 2019. On April 29, 2019 the Defendant finally appeared and the learned judge passed an order directing the Defendant's Passport to be surrendered to the court." The order also directed that the Passport of the Defendant remain with the concerned police station and directed the Defendant to seek permission from the Court to travel abroad. This order is significant as it shows the concerted effort of the judiciary and the parties involved in effecting personal appearances in IP litigation. Team Anand and Anand: MS Bharath, Chitra Subbiah and Harini.

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