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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11642/2019 and CM APPL. 47831/2019**

TATA SIA AIRLINES LIMITED Petitioner
Through: Ms. Krutika Vijay and Mr. Raunaq
Kamathi, Advocates (M:
9999947699).

versus

UNION OF INDIA Respondent
Through: Mr. Apar Chopra and Mr. Kartik
Sarsoonia, Central Gov. Pleader, UOI
(M: 9999925107).
MR. Gaurang Kanth, CGSC with Mr.
Hemant Khosla, Sr. Examiner (M:
9999285585).

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **20.12.2019**

Submissions have been heard in part on behalf of the Union of India and the Petitioner. Ld. counsel for the Union of India has passed over an affidavit, responding to the writ petition. A copy has also been supplied to the Petitioner. Let the same be filed in the Registry. Ld. counsel for the Petitioner to file the rejoinder before the next date, with an advance copy to the Respondent.

The question raised is whether once a Court has determined a Trade Mark to be well-known, the procedure stipulated under Rule 124 of the Trade Mark Rules, 2017 would have to be followed, including the payment of fees of Rs. 1 lakh, in order to get the Trade Mark included in the list of well-known Trade Marks published by the Trade Mark Registry.

Since this issue would concern a large number of Trade Mark owners,

it is deemed appropriate to issue notice to bodies representing brand owners and IP lawyers for filing amicus briefs, on or before 31st January, 2020, for assisting the Court. Let notice be served by the Registry by email on Mr. Hari Subramaniam (e-mail: hari@sna-ip.com), President, APAA – Indian Group and Mr. Hemant Singh, President AIPPI – India Chapter (e-mail: hemant@inttladvocare.com) and Ms. Gauri Kumar, Representative, INTA (e-mail: gkumar.consultant@inta.org). *Dasti in addition.*

List on 24th February, 2020.

PRATHIBA M. SINGH, J.

DECEMBER 20, 2019
MR