

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Suit No.1622 of 2013

Order with signature of Judge(s)

- For hearing of CMA No.14274/2013

06.08.2018

Mirza Mehmood Baig, Advocate for the plaintiffs
Mr. Rafiq Kalwar, Advocate for defendants

Counsel for the plaintiffs by referring to pages 461 to 487 submits that the plaintiffs from these data basis gather that the Defendant No.1 is attempting to register plaintiffs' well known trademarks the News, Jang and Geo before U.K and U.K IPO as well as US PTO as well as in Canada being owners of these trademarks in Pakistan as well as having secured protection of the same in number of countries. The plaintiffs approached this Court seeking declaration that the defendant's act of adopting these well-known trademarks is blatant and illegal.

The counsel for Defendant Nos.1 to 3 through CMA No.197 of 2015, being an application under Order VII Rule 11 read with Section 151 CPC, states that the Defendant Nos.1 to 3 had no connection with M/s. Aexact (Private) Limited of U.K, who allegedly had applied for these trademarks and they have no intention of using or seeking protection against these trademarks in Pakistan or anywhere around the world. The counsel for the plaintiffs upon these submissions concedes to have this suit alongwith application disposed of on these undertakings that the defendants will not attempt to file and use these well-known trademarks of the plaintiffs in Pakistan or anywhere in the world. In the circumstances, the suit is decreed for prayer 37(b)(c)(d) and (e), whereas the damages as claimed under prayer 37(f) are not pressed by the plaintiffs. The suit is accordingly decreed in the above terms.

JUDGE