

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
M.A No.37 of 2015

Order with signature of Judge(s)

Hearing of case

- For hearing of main case

31.01.2024

Mr. Salman Ahmed Sheikh, Advocate for Respondent No.2

Justice Zulfiqar Ahmad Khan:- None present for the appellant. This Court on numerous occasions in absence of the counsel for the appellant directed that if he chose to stay away from the Court the matter will be heard on the material available on record. Seemingly this appeal challenges an order available at page 17, where rectification filed by the appellant against registered trademark of Respondent No.2 was dismissed under Rule 30(6) of the Trade Marks Rules, 2004 i.e. that no evidence was supplied by the appellant seeking rectification.

Learned counsel for Respondent No.2 had read the provisions of Rule 30(6) of the Trade Marks Rules, 2004 as well as Rule 68(2) of the above Rules to show that it was incumbent upon the appellant to furnish evidence under these Rules, so that the rectification could have been proceeded in accordance with law and when no such evidence was furnished, the Registrar took the decision to dismiss rectification application.

A review of the order while read with the prevailing Rules suggests that no illegality has been made by Respondent No.1 hence no interference is caused. The instant Appeal is accordingly dismissed

JUDGE