

**APPLICATION TO THE INTELLECTUAL PROPERTY
APPELLATE BOARD FOR REMOVAL OF REGISTERED
TRADEMARK FROM THE TRADE MARK REGISTER
/APPLICATION FOR RECTIFICATION OF THE TRADE MARK
REGISTER**

FORM – I

BEFORE THE INTELLECTUAL PROPERTY APPELLATE BOARD
APPLICATION FOR REMOVAL/RECTIFICATION

ORA NO. _____

IN THE MATTER OF registered Device/Word
Trade Mark No. _____ in Class _____ for the
mark “_____” in respect of

_____, **(he
reinafter referred to as the “Impugned
Mark”)** in the name of _____, a
body corporate having its address at
_____ (hereinafter referred to
as the “Registered Proprietor”);

AND

IN THE MATTER OF Cancellation of the same
by _____ having its office at
_____.

1.	Name of Applicant	_____, a company registered under the provisions of the Companies Act, 1956/2013 (Note: Give proper description of the Applicant)
2.	Address	(Note: Give proper address of the Applicant)
3.	Name of Counsel and Address	(Note: Give proper name, description and address of advocate/s of the Applicant)
4.	Name(s) of Respondent(s) with address	_____, trading at) _____, having address) at _____)...Respondent No. 1 AND The Registrar of Trade Marks at) _____, having address at) _____) ...Respondent No. 2 For the sake of convenience, the Respondent No.1 is also referred as ' <i>the Registered Proprietor</i> '.
5.	Relief claimed and relevant Sections	(a) This Cancellation Application be allowed; (b) The Registration of Impugned Trade Mark No. _____ in Class ____ for the mark "_____" be revoked/cancelled and the mark be removed from the Register; (c) Such further and other relief be granted as the nature and circumstances may require; and (d) Costs of this proceedings be awarded to the Applicant. (Reliefs are claimed under Sections 47, 57 and 125 of the Trade Marks Act, 1999 read with other relevant sections of the Act).
6.	Particulars of Parallel or Collateral proceedings	A suit for infringement and passing off has been filed by Respondent No. 1 against Applicant's trade mark '_____' being Suit No. ____ of ____ before the Honorable _____ High Court/District Court, on the basis of registration of impugned mark.

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