

Government of India
TRADE MARKS REGISTRY
Boudhik Sampada Bhavan, S.M. Road, Antop Hill,
Mumbai-400 037, India.

NOTIFICATION OF PROVISIONAL REFUSAL OF PROTECTION OF AN INTERNATIONAL REGISTRATION DESIGNATING INDIA

Rule 17(1) of the Common Regulations

I.	Office making the notification:	TRADE MARKS REGISTRY, GOVERNMENT OF INDIA
II.	Number of the international registration: 1319522 (Reference IRDI No allotted to this international registration by the TMR India)... 3445990	
III.	Name of the holder (or other information enabling the identity of the international registration to be confirmed): HUGO BOSS	
IV.	Provisional refusal based on an opposition The following person(s) have filed opposition to protection of the trademark in India- 1. TTK HEALTHCARE LIMITED, 6,CATHEDRAL ROAD,CHENNAI 600086.	
V.	Provisional refusal for all the goods and/or services	
VI.	Grounds for refusal [(where applicable, see item VII)]: The Grounds are mentioned as per the Notice(es) of Opposition attached herewith	
VII.	Information relating to an earlier mark As mentioned in Notice(es) of Opposition attached herewith, if any.	
VIII.	Corresponding essential provisions of the applicable law [(see text under XII)]: Section 21 of Trade Marks Act 1999 and Rules 47, 48, 49, 50, 51, 52, 53, 54, 55 and 56 Sections 9, 11, 12, 13, 14 of Trade Marks Act 1999 and Rules 47, 48, 49, 50, 51, 52, 53, 54, 55 and 56	
IX.	Information relating to subsequent procedure:	
	(i)	If the holder of the International Registration wants to protect his trademark in India he/she, on receipt of the Provisional Refusal based on Opposition must submit a Counter Statement on form TM-6/TM-O through a registered trademark agent/advocate having address in India. The said Counter Statement must be submitted along with the scanned copy of the Statement of Case signed by the holder and the Power of Attorney in favor of the agent/attorney.
	(ii)	Time limit for response or for a request to file Counter Statement against the provisional refusal: <i>Two month</i> from the date of receipt of provisional refusal by the holder of international registration.
	(iii)	Authority to which such request for review or appeal should be made: The response to the provisional refusal in the form of the Counter Statement must be submitted before the Registrar of Trade Marks, International Registration Division, Trade Marks Registry, Mumbai. The Counter Statement including the scanned copy of the Statement of Case and the Power of Attorney must be submitted online through the gateway <i>comprehensive e-filing services for trademarks.</i>
	(iv)	Indications concerning the appointment of a representative: The response to the provisional refusal must be submitted through an Indian agent or a representative. The said agent may be a trademark agent registered with the Indian Trade Marks Registry office or an Advocate within the meaning of Indian Advocates Act, 1961. Such agent/attorney must be engaged by the holder through a Power of Attorney on form TM-48 executed in the favor of the said trademark agent/advocate.
X.	Date of the notification of provisional refusal: 01/06/2018	
XI.	Signature or official seal of the Office making the notification: FOR REGISTRAR OF TRADEMARK R.A.TIWARI Designation: DEPUTY REGISTRAR Mumbai	

XII.	Corresponding essential provisions of the applicable law: Trade Marks Act, 1999 Section 9: Absolute grounds for refusal of registration (1) The trade marks - (a) which are devoid of any distinctive character, that is to say, not capable of distinguishing the goods or services of one person from those of another person; (b) which consist exclusively of marks or indications which may serve in trade to designate the kind, quality, quantity, intended purpose, values, geographical origin or the time of production of the goods or rendering of the service or other characteristics of the goods or service; (c) which consist exclusively of marks or indications which have become customary in the current language or in the bona fide and established practices of the trade, shall not be registered: PROVIDED that a trade mark shall not be refused registration if before the date of application for registration it has acquired a distinctive character as a result of the use made of it or is a well-known trade mark. (2) A mark shall not be registered as a trade mark if - (a) it is of such nature as to deceive the public or cause confusion; (b) it contains or comprises of any matter likely to hurt the religious susceptibilities of any class or section of the citizens of India; (c) it comprises or contains scandalous or obscene matter; (d) its use is prohibited under the Emblems and Names (Prevention of Improper Use) Act, 1950. (3) A mark shall not be registered as a trade mark if it consists exclusively of - (a) the shape of goods which results from the nature of the goods themselves; or (b) the shape of goods which is necessary to obtain a technical result; or (c) the shape which gives substantial value to the goods. Section 11: Relative grounds for refusal of registration (1) Save as provided in section 12, a trade mark shall not be registered if, because of - (a) its identity with an earlier trade mark and similarity of goods or services covered by the trade mark; or (b) its similarity to an earlier trade mark and the identity or similarity of the goods or services covered by the trade mark, there exists a likelihood of confusion on the part of the public, which includes the likelihood of association with the earlier trade mark. Section 12: Registration in the case of honest concurrent use, etc. In the case of honest concurrent use or of other special circumstances which in the opinion of the Registrar, make it proper so to do, he may permit the registration by more than one proprietor of the trade marks which are identical or similar (whether any such trade mark is already registered or not) in respect of the same or similar goods or services, subject to such conditions and limitations, if any, as the Registrar may think fit to impose. Section 13: Prohibition of registration of names of chemical elements or international non-proprietary names No word - (a) which is the commonly used and accepted name of any single chemical element or any single chemical compound (as distinguished from a mixture) in respect of a chemical substance or preparation, or (b) which is declared by the World Health Organisation and notified in the prescribed manner by the Registrar from time to time, as an international non-proprietary name or which is deceptively similar to such name, shall be registered as a trade mark and any such registration shall be deemed for the purpose of section 57 to be an entry made in the register without sufficient cause or an entry wrongly remaining on the register, as the circumstances may require. Section 14: Use of names and representations of living persons or persons recently dead Where an application is made for the registration of a trade mark which falsely suggests a connection with any living person, or a person whose death took place within twenty years prior to the date of application for registration of the trade mark, the Registrar may, before he proceeds with the application, require the applicant to furnish him with the consent in writing of such living person or, as the case may be, of the legal representative of the deceased person to the connection appearing on the trade mark, and may refuse to proceed with the application unless the applicant furnishes the registrar with such consent. Section 16: Registration of trade marks as associated trade marks (1) Where a trade mark which is registered, or is the subject of an application for registration, in respect of any goods or services is identical with another trade mark which is registered, or is the subject of an application for registration, in the name of the same proprietor in respect of the same goods or description of goods or same services or description of services or so nearly resembles it as to be likely to deceive or cause confusion if used by a person other than the proprietor, the Registrar may, at any time, require that the trade marks shall be entered on the register as associated trade marks. (2) Where there is an identity or near resemblance of marks that are registered, or are the subject of applications for registration in the name of the same proprietor, in respect of goods and in respect of services which are associated with those goods or goods of that description and with those services or services of that description, sub-section (1) shall
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apply as it applies as where there is an identity or near resemblance of marks that are registered, or are the subject of applications for registration, in the name of the same proprietor in respect of the same goods or description of goods or same services or description of services.

(3) Where a trade mark and any part thereof are, in accordance with the provisions of sub-section (1) of section 15, registered as separate trade marks in the name of the same proprietor, they shall be deemed to be, and shall be registered as, associated trade marks.

(4) All trade marks registered in accordance with the provisions of sub-section (3) of section 15 as a series in one registration shall be deemed to be, and shall be registered as, associated trade marks.

(5) On application made in the prescribed manner by the registered proprietor of two or more trade marks registered as associated trade marks, the Registrar may dissolve the association as respects any of them if he is satisfied that there would be no likelihood of deception or confusion being caused if that trade mark were used by any other person in relation to any of the goods or services or both in respect of which it is registered, and may amend the register accordingly.

Section 17: Effect of registration of parts of a mark

(1) When a trade mark consists of several matters, its registration shall confer on the proprietor exclusive right to the use of the trade mark taken as a whole.

(2) Notwithstanding anything contained in sub-section (1), when a trademark-

(a) contains any part -

(i) which is not the subject of a separate application by the proprietor for registration as a trade mark; or

(ii) which is not separately registered by the proprietor as a trade mark; or

(b) contains any matter which is common to the trade or is otherwise of a non-distinctive character,

the registration thereof shall not confer any exclusive right in the matter forming only a part of the whole of the trade mark so registered.

Section 44: Assignability and transmissibility of associated trade marks

Associated trade marks shall be assignable and transmissible only as a whole and not separately, but, subject to the provisions of this Act, they shall, for all other purposes, be deemed to have been registered as separate trade marks.

Section 131: Extension of time

(1) If the Registrar is satisfied, on application made to him in the prescribed manner and accompanied by the prescribed fee, that there is sufficient cause for extending the time for doing any act (not being a time expressly provided in this Act), whether the time so specified has expired or not, he may, subject to such conditions as he may think fit to impose, extend the time and inform the parties accordingly.

(2) Nothing in sub-section (1) shall be deemed to require the Registrar to hear the parties before disposing of an application for extension of time, and no appeal shall lie from any order of the Registrar under this section.

Section 145: Agents

Where, by or under this Act, any act, other than the making of an affidavit, is required to be done before the Registrar by any person, the act may, subject to the rules made in this behalf, be done instead of by that person himself, by a person duly authorised in the prescribed manner, who is-

(a) a legal practitioner, or

(b) a person registered in the prescribed manner as a trade marks agent, or

(c) a person in the sole and regular employment of the principal.

Trade Marks Rules, 2002

Rule 21: Agency. –

(1) The authorisation of an agent for the purpose of section 145 shall be executed on Form TM-48

Rule 22: Classification of goods and service - (1) Classification of goods and service for the purpose of registration of trade mark, the goods and services shall be classified as per current addition of the "International Classification of goods and services (NICE classification)" published by the World Intellectual Property Organisation (WIPO).

Rule 25 (15): In the case of an application for registration in respect of all the goods or services included in a class or of a large variety of goods or services in a class, the Registrar may refuse to accept the application unless he is satisfied that the specification is justified by the use of the mark which the applicant has made or intends to make if and when it is registered;

Rule 25 (3): Where the application contains a statement to the effect that the trade mark is a three dimensional mark, the reproduction of the mark shall consist of a two dimensional graphic or photographic reproduction as follows, namely:-

(i) The reproduction furnished shall consist of three different view of the trade mark;

(ii) Where, however, the Registrar considers that the reproduction of the mark furnished by the applicants does not sufficiently show the particulars of the three dimensional mark, he may call upon the applicant to furnish within two months up to five further different views of the mark and a description by words of the mark;

(iii) Where the Registrar considers the different views and/or description of the mark referred to in clause (ii) still do not sufficiently show the particulars of the three dimensional mark, he may call upon the applicant to furnish a specimen of the trade mark.

Rule 105: Extension of time. –

(1) An application for extension of time under section 131 (not being a time expressly provided in the Act or prescribed by rule 79 or by sub-rule (4) of rule 80 or a time for the extension of which provision is made in the rules) shall be made on Form TM-56.

(2) Upon an application made under sub-rule (1) the Registrar, if satisfied that the circumstances are such as to justify the

extension of the time applied for, may, subject to the provisions of the rules where a maximum time limit is prescribed and subject to such conditions as he may think fit to impose, extend the time and notify the parties accordingly and the extension may be granted though the time for doing the act or taking the proceeding for which it is applied for has already expired.

*** end of the report ***

Receipt No.: 1951731
Date: 31/05/2018
Amount: Rs.2700/-
Ref No: A-3445990 Form
No: 935761

FORM TM-O
THE TRADE MARKS ACT, 1999

Notice of Opposition / Application for Rectification of the Register by cancelling or varying registration of a trade mark / Counter statement / Request to refuse or invalidate a trade mark under Section 25(a),(b) of Geographical Indication of Goods (Regulation and Protection) under the Trade Marks Act

REQUEST	NOTICE OF OPPOSITION
FEE	2700
APPLICANT OR REGISTERED PROPRIETOR/OPPONENT/THIRD PARTY MAKING THE APPLICATNION/REQUEST	
Opponent Name	TTK HEALTHCARE LIMITED,
Treading As	TTK HEALTHCARE LIMITED,
Address	6,CATHEDRAL ROAD,CHENNAI 600086. STATE OF TAMILNADU, INDIA.
Service Address	MOHAN ASSOCIATES,CEEGBROS BUILDING, D-4, 3RD FLOOR, NO. 32, CENOTAPH ROAD, TEYNAMPET, CHENNAI - 600 018, TAMILNADU, INDIA.
Mobile No	9841052715
Email address	brinda@iprightsindia.com
AGENT OF THE APPLICANT OR REGISTERED PROPRIETOR/OPPONMENT/THIRD PARTY AS THE CASE MAY BE(if any)	
Agent Name	MOHAN ASSOCIATES.
Address	CEEGBROS BUILDING, D - 4, III FLOOR, NO. 32, CENOTAPH ROAD, TEYNAMPET, CHENNAI - 600 018, TAMIL NADU, INDIA.
Mobile No	9841052715
Nature of the Agent	Registered Trade Marks Agent
Registration No	128
REQUEST OPPOSITION/APPLICATION IN THE MATTER OF	
DETAILS OF APPLICATION NUMBER	3445990
CLASS	3
REQUEST	NOTICE OF OPPOSITION

GROUND OF OPPOSITION	Grounds of opposition are attached separately Letter No. AAM/JR/N-F/2012 dated 28/05/2018 along with copy of advertisement clipping, grounds of opposition and copy of GPA.
Date	30-05-2018 12:16 PM

Digitally Signed By

Brinda Mohan

for MOHAN ASSOCIATES.

[Agent]



MOHAN ASSOCIATES

Ceebros Building, D-4, III Floor, #32, Cenotaph Road,
Teynampet, Chennai - 600 018, Tamil Nadu, India

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E : acm@mohanlaw.in
W : www.mohanlaw.in

EFILING + BY COURIER

AAM/JR/N-F/2012

May 28, 2018

The Registrar of Trade Marks,
Office of the Trade Marks Registry,
Mumbai.

AGENT CODE: 128/2

Sirs,

Reference: DEADLINE: 05/06/2018

OPPOSITION NUMBER	
OPPONENT NAME	TTK Healthcare Limited,
JOURNAL NO.	0835
JOURNAL DATE	05/02/2018
4 MONTHS NON EXTENDIBLE DEADLINE FROM PUBLICATION DATE	05/06/2018
APPLICATION NO.	3445990
TRADE MARK	BOSS
CLASS	03
APPLICANT NAME	Hugo Boss Trade Mark Management GMBH & Co.,
JURISDICTION	Mumbai.

We write on behalf of: OPPONENT

Documents	Online filing	Offline hard copy deposit
TM-O with grounds of opposition	Yes	Yes in duplicate
Copy of GPA executed by opponent	Yes	
TMJ copy	Yes	
Fee payment	Rs. 2700/-	
Fee receipt copy		Yes

We respectfully request that the above submission be taken on record.

The opponent intends to file evidence in support of opposition and in the event of failure to submit evidence during the proceeding, at the time of filing evidence in support of opposition, the opponent intends to rely on this notice of opposition in this proceeding.

Yours faithfully,

(BRINDA MOHAN)
Counsel for opponent

Encl: Form TM-O with grounds of opposition in duplicate
Fee receipt copy



Priority claimed from 14/06/2016; Application No. : 30 2016 217 276 ;Germany
3445990 30/06/2016

[International Registration No. : 1319522]

HUGO BOSS Trade Mark Management GmbH & Co. KG

Dieselstr. 12 72555 Metzingen Germany

Proposed to be Used

IR DIVISION

Soaps; perfumeries; essential oils; preparations for body and beauty care; hair lotions; dentifrices.

ATTACHMENT TO FORM TM-O
GROUND OF OPPOSITION



IN THE MATTER OF APPLICATION NO.3445990 IN CLASS 3 FOR TRADE MARK IN THE
NAME OF HUGO BOSS TRADE MARK MANAGEMENT GMBH & CO. KG, DIESELSTRASSE 12
72555 METZINGEN GERMANY

AND

IN THE MATTER OF OPPOSITION THERETO FILED BY TTK HEALTHCARE LIMITED, NO.6,
CATHEDRAL ROAD, CHENNAI 600 086, STATE OF TAMIL NADU, INDIA.

We, TTK Healthcare Limited, an Indian Company, incorporated under Indian Companies Act, 1956, having its principal place of business at No.6, Cathedral Road, Chennai 600 086, State of Tamil Nadu, India, hereby give notice of our intention to oppose registration of the trademark advertised under the above number 3445990 in Class 3 in the Trade Marks Journal No.1835 dated 05.02.2018 at Page No.8468. The four months period for filing Notice of Opposition expires on 05.06.2018.

The grounds of opposition are as follows:

1. The opponent carries on an established business as manufacturers and dealers in a wide range of pharmaceutical and medicinal products for human and veterinary use.
2. The opponent is using the Trade Mark "BIGBOSS" in respect of "Condoms, Medicinal and pharmaceutical preparations for human and veterinary use" since the year 1997/1998. The opponent has obtained a Drug License for the manufacture of preparations in India. The opponent's Trade Mark "BIGBOSS" enjoys great reputation and goodwill all over India. The Trade Mark "BIGBOSS" is exclusively identified with the goods manufactured and sold by the opponent.
3. By virtue of long and extensive use, the said trademark "BIGBOSS" is exclusively identified with the goods manufactured and sold by the opponent.

For TTK HEALTHCARE LIMITED

Director & Wholetime Secretary

4. The opponent is holding registrations for BIGBOSS under Nos.769280 in Class 5, 778363 in Class 10 and 778364 in Class 5 and few others.
5. The applicant is seeking registration of the Trade Mark "BOSS" in respect of "soaps; perfumeries; essential oils; cosmetics; hair lotions; dentifrices included in Class 3". The applicant's Trade Mark "BOSS" is identical to opponent's Trade Mark "BIGBOSS". It is merely truncated. The impugned mark "BOSS" is identical to opponent's mark "BIGBOSS" and is of such nature so as to deceive the public and cause confusion, due to its identity. The impugned mark ought to be refused registration under Section 11(2) of the Trade Marks Act, 1999.
6. The goods in respect of which the applicant seeks registration of the impugned Trade Mark "BOSS" may be of different description from the goods for which opponent's trademark "BIG BOSS" are used but still due to identity it will cause confusion. The goods of the two parties are cognate. The impugned mark is likely to create initial confusion in the minds of consumer with average intelligence and imperfect recollection. As such the application is prohibited under Section 9(2) (a) and 11 (1) of the Trade Marks Act, 1999.
7. The registration and use of the impugned Trade Mark "BOSS" by the applicant is bound to cause confusion and deception amongst the trading public. Use of an identical trademark by the applicant would lead to hazardous consequences in the market. The applicant has not adopted the mark honestly but has adopted the impugned mark with mala fide intention. The opponent is vigilant in protecting the statutory rights vested in the opponent's mark "BIGBOSS" and in protecting the rights arising out of their mark "BIGBOSS" of which the opponent's are prior adopter and owner. The opponent's claim to have earned revenue and also incurred promotional expenditure for trademark BIGBOSS in the last many years. The products of applicant may not be identical but they are definitely cognate and analogous to the products sold by opponent and thereby use of impugned mark BOSS by applicant is dishonest, intended to take advantage. The use of impugned mark "BOSS" by the applicant is liable to be prevented by virtue of any Law and thereby the impugned mark ought to be refused registration under Section 11(3) of the Trade Marks Act, 1999.
8. The impugned mark "BOSS" is not capable of distinguishing the goods specified and the mark is not distinctive and the mark is identical. As such, the application is incapable of registration under Section 9(1) of the Trade Marks Act of 1999.
9. The registration of the impugned mark "BOSS" in the name of the applicant is bound to mislead the trade and public. The goodwill and reputation accrued to the opponent in the

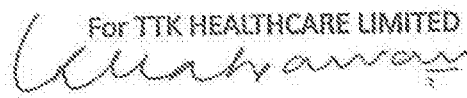
For TTK HEALTHCARE LIMITED



Director & Wholetime Secretary

trademark "BIGBOSS" would pass on to the applicant. This would give undue benefit and advantage to the applicant. The applicant has deliberately and with ulterior motives adopted an identical trademark "BOSS". The impugned mark is of such nature that it will result in giving unfair advantage to the applicant by creating an initial interest in the customer who on account of such deceptive use of the registered mark may end up buying the product of the applicant, though after knowing due to account of difference in goods which is buying is not the product of the opponent but is of the applicant. The mark is prohibited under Section 11(2) of the Trade Marks Act, 1999.

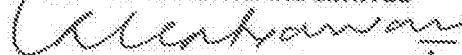
10. Inevitable confusion would result from the registration and use of the Trade Mark "BOSS" by the applicant. The application and adoption of the mark "BOSS" by the applicant is dishonest and with malafide intention of trading upon and benefiting from the opponent's goodwill and reputation in the mark "BIGBOSS". The impugned mark "BOSS" is nothing beyond an adaptation of the opponent's marks "BIGBOSS". The applicant has created the impugned mark keeping the opponent's mark in mind. The impugned mark is nothing but a slavish imitation of the opponent's well-known mark "BIGBOSS". The impugned mark "BOSS" will be identified mistakenly as "BIGBOSS" of opponent and trade will assume association between the opponent's goods and applicant's goods. Keeping in mind that impugned mark will wrongly be associated by public with opponent's mark, the impugned mark ought to be refused registration under Section 11(10) of the Trade Marks Act, 1999 as the opponent's mark due to continuous use, enjoys the status of a well-known mark.
11. The applicant is not true proprietor of the Trade Mark "BOSS" since applicant has filed the application on 30/06/2016 and user "proposed to be used". The applicant would not suffer any damages if the mark is refused registration, especially as the applicant has adopted the mark with malafide intention. Any use thereafter, if at all done is with ulterior motive to benefit illegally from the reputation of the opponent and to cheat the public in general. The applicant will not suffer if the mark is refused registration. As such, the mark is not entitled to any protection under Section 12(3) of the Act.
12. The opponent says and submits that the applicant has not come forward with clean hands and has suppressed the material facts while making the above application and thereby the application is liable to be dismissed. The case of impugned application is a case of unfair competition and unfair trading even though the goods are non-competing. Such unfair trading will cause injury and damage to the first user – (opponent) by prevention of natural expansion of its business and secondly by having its business reputation confused with and put at the mercy of the applicant. If non-competitive products are allowed to be sold by the applicant under the impugned mark, the gradual whittling away or dispersion of the identity and hold

For TTK HEALTHCARE LIMITED

 Director & Wholetime Secretary

upon the public mind of the registered mark created by the opponent will inevitably result. The opponent is entitled to the preservation of the valuable link between itself and the public that has been originally created by its ingenuity and the merits of goods made available by opponent to consumers. It has been repeatedly demonstrated that when a well-known mark is adopted by a third party even for a totally different class of goods, it is done to get the benefit of the reputation and advertisement of the original owner of the mark and applicant attempts the same here, i.e., to convey to the public a false impression of some supposed connection between opponent and the new products tendered to the public by the applicant under the same mark. There is absolute damage to opponent from confusion of reputation or goodwill in the mind of public as well as from confusion of goods. The applicant is not true proprietor of Trade Mark "BOSS". Thereby the application is violative under Section 18(1) of the Trade Marks Act, 1999.

13. The willful intention of applicant to use the opponent's mark for illegal gain is obvious. The opponent is the Registered Proprietor of trademark BIGBOSS. Hence, the impugned application is violating section 29 of Trade Marks Act. The impugned mark is so identical to opponent mark that it is very likely to deceive and cause confusion and this use by applicant would substantially impair the brand value and brand image which the opponent enjoys in the market.
14. The opponent is the true proprietor of trademark BIGBOSS in Class 5, hence the application ought to be refused under Section 11 (10) of the Act.
15. The mark of interest has been put to use for commercial gain and for promotional purposes directly and through other entities including agents, permitted users and affiliate organizations, etc., all being authorized to use the mark and the supporting papers will be adduced when appropriate or on demand. The opponent craves leave to add to and / or amend or notify or alter or delete any of the foregoing paras, reasons and grounds.
16. In view of the dishonest adoption of the impugned mark "BOSS" by the applicant, the opponent respectfully prays that the discretion of the Learned Tribunal be exercised in opponent's favour under Section 18(4) of the Act and against the applicant.
17. The opponent is also opposing another application 3428170 and 3350616 in Class 3 of applicant.
18. The registration of the Trade Mark "BOSS" in the name of the applicant would be contrary to the provisions of Sections 9, 11, 12, 18 and 29 of the Trade Marks Act, 1999.

For TTK HEALTHCARE LIMITED



Director & Wholetime Secretary

19. For the reasons stated in the preceding paragraphs, the opponent prays that the impugned Trade Mark "BOSS" under application No.3445990 in Class 3 be refused registration with costs.

All communications relating to these proceedings may be sent to the following address in India:

M/s. MOHAN ASSOCIATES
Advocates, Patent and Trade Mark Attorneys
Ceebros Building, D-4, III Floor
No.32, Cenotaph Road, Teynampet
Chennai 600 018

Dated this the 24th day of May, 2018.

For TTK Healthcare Limited



Signature:

Name:

S KALYANARAMAN

Designation:

Director & Wholetime Secretary

Co. Seal:

VERIFICATION

I, S. Kalyanaraman, Director and Wholetime Secretary of The Opponent, do hereby verify that the statements made in paragraph 1 is true to my knowledge, the statements made in para 2 to 4 are based on information derived from books and records of the applicant maintained in the ordinary course of business, which I verily believe to be true, the statements made in para 5 to 16 are based on legal advice received from the opponent's legal advisors, which I verily believe to be correct, statements made in paragraph 17-19 are submissions to the Learned Tribunal, nothing is false and nothing material has been concealed therefrom.

For TTK Healthcare Limited



Signature:

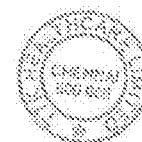
Name:

S KALYANARAMAN

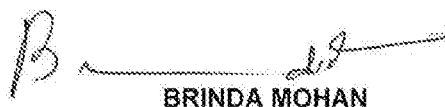
Designation:

Director & Wholetime Secretary

Co. Seal:



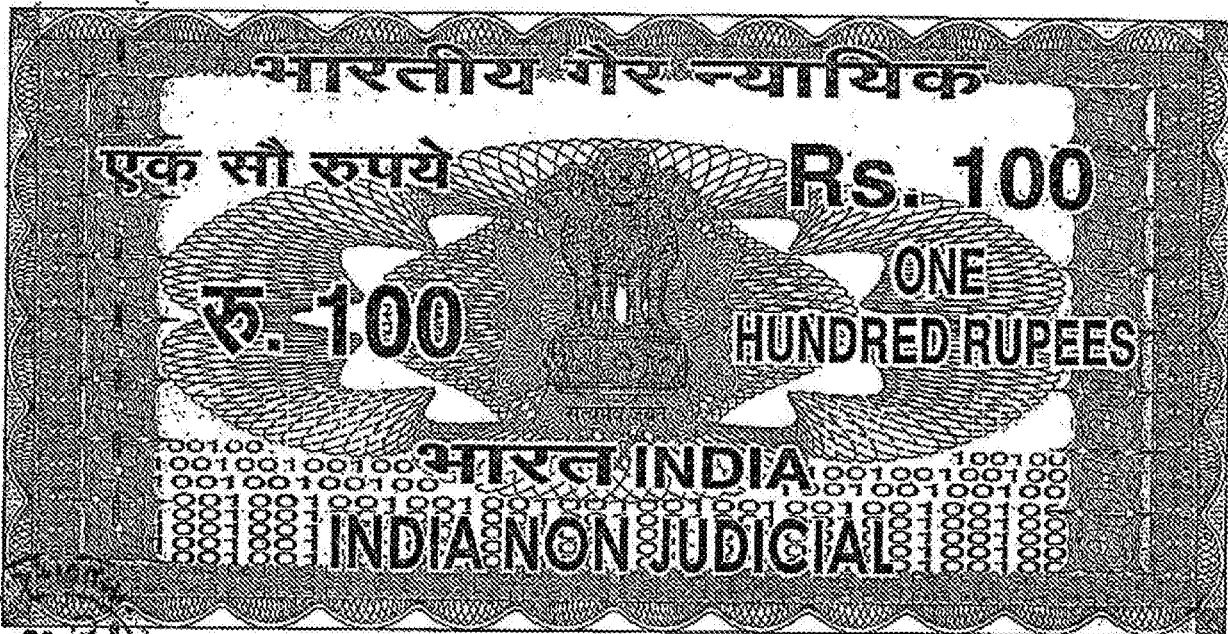
Counsel for Opponent



BRINDA MOHAN

To

**The Registrar of Trade Marks
Office of the Trade Marks Registry
Mumbai**



01 JUN 2016 13:30:2
01 JUN 2016
तमिलनाडु TAMILNADU

BRINDA MOHAN
ADVOCATE
CHENNAI - 600 018

BK 156569

THE TRADE MARKS ACT, 1999
FORM OF AUTHORIZATION OF AGENT
(SECTION 145; RULE 21)

V. THAMARACHELVI
S.V.L. No. 4379/B1/88/10.05.88
Nungambakkam,
Chennai - 600 034
AGENT CODE: 128/2

We, TTK Healthcare Limited, a company incorporated under the Companies Act, 1956 having its principal place of business at No. 6, Cathedral Road, Chennai - 600 086, State of Tamil Nadu, India, do hereby authorize BRINDA MOHAN, ARUN C. MOHAN and VASUNDHARA ARUN, Advocates of M/s. Mohan Associates Advocates, Patent and Trade Mark Attorneys of Ceebros Building, D-4, III Floor, New No.32 (Old No.11), Cenotaph Road, Teynampet, Chennai - 600 018, to act as our Attorney(s) for the purpose of filing and prosecuting applications for Registration of Trade Marks/Service Marks in all Classes, Oppositions, Renewals, Restorations, Recordal of Assignments, Licensing, Recordal of Registered users, No Objection certificate, and all proceedings before the Registrar of Trade Marks or the Government of India and all acts, deeds and things (including appointment of substitute or substitutes) as the said Attorney(s) may deem necessary or expedient in connection therewith or incidental thereto and request that all notices, regulations and communications relating thereto may be sent to such agent at the above address.

We hereby revoke all previous authorizations, if any, in respect of the matter aforesaid.

We hereby confirm and ratify all previous acts done by the said advocates.

All the communications relating to this application may be sent to the following address in India:-
Mohan Associates

Advocates, Patent & Trade Mark Attorneys
D-4, III Floor, Ceebros Building,
No.32, (Old No.11), Cenotaph Road, Teynampet,
Chennai - 600 018, India.

Dated on this the 1st day of JUNE 2016.

Signature :
Name :
Designation :
Co Seal :

S. Kalyanaraman
Director & Secretary



To
The Registrar of Trade Marks,

TM - M



13302
01 JUN 2016
TAMILNADU

BRINDA MOHAN
ADVOCATE
CHENNAI - 600 018

BK 156569

THE TRADE MARKS ACT, 1999
FORM OF AUTHORISATION OF AGENT
[SECTION 145; RULE 21]

V. THAMARACHELVI
S.V.L. No: 4379/B1/88/10.05.88
Nungambakkam,
Chennai - 600 034.
AGENT CODE: 128/2

We, TTK Healthcare Limited, a company incorporated under the Companies Act, 1956 having its principal place of business at No. 6, Cathedral Road, Chennai - 600 086, State of Tamil Nadu, India, do hereby authorize BRINDA MOHAN, ARUN C. MOHAN and VASUNDHARA ARUN, Advocates of M/s. Mohan Associates Advocates, Patent and Trade Mark Attorneys of Ceebros Building, D-4, III Floor, New No.32 (Old No.11), Cenotaph Road, Teynampet, Chennai - 600 018, to act as our Attorney(s) for the purpose of filing and prosecuting applications for Registration of Trade Marks/Service Marks in all Classes, Oppositions, Renewals, Restorations, Recordal of Assignments, Licensing, Recordal of Registered users, No Objection certificate, and all proceedings before the Registrar of Trade Marks or the Government of India and all acts, deeds and things (including appointment of substitute or substitutes) as the said Attorney(s) may deem necessary or expedient in connection therewith or incidental thereto and request that all notices, requisitions and communications relating thereto may be sent to such agent at the above address.

We hereby revoke all previous authorizations, if any, in respect of the matter aforesaid.

We hereby confirm and ratify all previous acts done by the said advocates.

All the communications relating to this application may be sent to the following address in India:-

Mohan Associates
Advocates, Patent & Trade Mark Attorneys
D-4, III Floor, Ceebros Building,
No.32, (Old No.11), Cenotaph Road, Teynampet,
Chennai - 600,018, India.

Dated on this the 1st day of JUNE 2016.

Signature :
Name :
Designation :
Co Seal :

S. Kalyanaraman
Director & Secretary

To
The Registrar of Trade Marks,

TM-M

