

BEFORE THE HIGH COURT OF DELHI AT NEW DELHI
ORDINARY ORIGINAL COMMERCIAL JURISDICTION
C.S. (COMM) NO. 751 OF 2018

IN THE MATTER OF:

DR. ING. H.C. F. PORSCHE AG. ... PLAINTIFF

VERSUS

MR. PRITAM GAIN & ORS. ... DEFENDANTS

MEMO OF PARTIES

IN THE MATTER OF:

Dr. Ing. h.c. F. Porsche AG.
Porscheplatz 1
D – 70435, Stuttgart,
Germany
Through Its Constituted Attorney
Mr. R. C. Dhawan ... Plaintiff

VERSUS

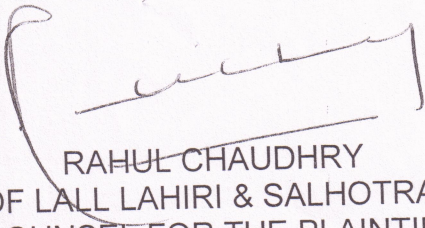
1. Mr. Pritam Gain
Partner
M/s. Porsche Jewels,
21/23, Dhanji Street, 3rd Floor,
Mumbadevi Mansion, Pydhonie
Mumbai – 400 002

Also at:

Atria Millenium Mall,
310-A, 3rd Floor,
Dr. Annie Besant Road, Worli,
Mumbai – 400 018

2. Mr. Kach Gain
Partner
M/s. Porshe Jewels,
21/23, Dhanji Street, 3rd Floor,
Mumbadevi Mansion, Pydhonie
Mumbai – 400 002
 3. Mrs. Minoti Gain,
Partner
M/s. Porshe Jewels,
21/23, Dhanji Street, 3rd Floor,
Mumbadevi Mansion, Pydhonie
Mumbai – 400 002
 4. Bodhi Brands Private Limited,
302, Shreya House, 3rd Floor,
301/A Pareira Hill Road,
Opp. WEH Metro Station, Andheri East.
Mumbai 400099, India
- ... Defendants

Place: New Delhi
Dated:


RAHUL CHAUDHRY
OF LALL LAHIRI & SALHOTRA
COUNSEL FOR THE PLAINTIFF
C - 235, DEFENCE COLONY,
NEW DELHI -110024

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(COMM) 751/2018 & I.As. 3997/2018, 9924/2018

DR. ING. H.C.F. PORSCHE AG.

..... Petitioner

Through: Mr.Sumit Wadhwa and Ms.Achal
Shekhar, Advocates

versus

MR. PRITAM GAIN & ORS

..... Respondents

Through: Mr.Hasan Murtaza, Ms.Bushra
Waseem, Advocates for respondents

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **26.09.2018**

I.A. 13892/2018 (to be numbered)

1. Learned counsels for both the parties have handed over a joint application under Order XXIII Rule 3 of the Code of Civil Procedure which is taken on record. The application is signed by both the parties and is supported by their respective affidavits. The application along with the affidavits and Annexure-A is marked as Ex. C-1.
2. The settlement between the parties is lawful and is recorded.
3. The suit is decreed in terms of the settlement, Ex. C-1. Ex. C-1 shall form part of the decree.
4. Learned counsels for the parties submit that the Copyright registration No.A75296 dated 30th December, 2005 be struck off from the register of the Copyright as agreed in paragraph 6 (vi) of Ex. C-1.
5. The Registrar of Copyright is directed to strike off the Copyright registration No.A75296 dated 30th December, 2005 within a period of eight

weeks from today.

6. Learned counsel for the plaintiff seeks refund of the Court fees under Section 16A of the Court Fees Act. The Registry shall issue the certificate to the plaintiff for refund of 50% of the Court Fees under Section 16A of the Court Fees Act.
7. Pending applications are disposed of.
8. Copy of this order be sent to the Registrar of Copyrights, Copyright Office, Boudhik Sampada Bhawan, plot No.32, Sector-14, Dwarka, New Delhi-110075.
9. Copy of this order be given *dasti* to counsels for the parties under signatures of the Court Master.

Sd/

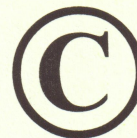
J.R. MIDHA, J.

SEPTEMBER 26, 2018
ds

TC
RME



Government of India
Copyright Office
Register of Copyrights



Dated: 30/12/2005

1. Registration No: A-75296/2005
2. Name, address and nationality of the applicant: M/S PORSHE JEWELS
21/23, DHANJI STREET, 3RD FLOOR, MUMBADEVI
MANSION, PYDHONIE, MUMBAI-400 002
INDIAN
3. Nature of applicant's interest in the copyright of the work: OWNER
4. Class and description of the work: ARTISTIC
PORSHE JEWELS
5. Title of the work: ENGLISH
6. Language of the work: ENGLISH
7. Name, address and nationality of the author and if the author is deceased, date of his decease: PALLAVI
OUT OF THE BOX ADVERTISING, FLAT NO. 410,
BLDG. NO. 16 D, SHIVSAGAR CO-OP HOUSING
SOCIETY, NEW MHADA COLONY, MAHAKALI CAVES
ROAD, ANDHERI (E), MUMBAI-93
INDIAN
8. Whether the work is published or unpublished: UNPUBLISHED
9. Year and country of the first publication and name, address and nationality of the publisher: NIL
10. Years and countries of subsequent publications, if any, and names, addresses and nationalities of the publishers: NIL
11. Names, addresses and nationalities of the owners of various rights comprising the copyright in the work and the extent of rights held by each, together with particulars of assignments and licences, if any: 1. MR. PRITAM GAIN (50%), 2. KACH GAIN (20%) 3.
MINOTI GAIN (30%)
1004, WALLACE APARTMENT, 10TH FLOOR, SLATE
ROAD, GRANT ROAD (W), MUMBAI - 7
INDIAN
12. Names, addresses and nationalities of other persons, if any, authorised to assign or licence of rights comprising the copyright: NIL
13. If the work is an Artistic work, the location of the original work, including name, address and nationality of the person in possession of it. (In the case of an architectural work, the year of completion of the work should also be shown) AS IN COL. 2 ABOVE
14. Remarks: A SEALED COPY OF THE WORK IS RETURNED AND ANOTHER SEALED COPY IS KEPT.

Expenses of Ministry of Home Affairs (Comm) 757/2018 & T: 153997/2018, 9924/2018

Order dt: 26-09-2018

05-11-2018

rights in compliance

Registered

Registered & Copyright

Diary No. 1476/2005-CO/A
Date of Application: 04/07/2005
Date of Receipt: 08/07/2005

DEPUTY REGISTRAR OF COPYRIGHTS





Porshe
Jewels

COPYRIGHT OFFICE
NEW DELHI
Reg. No. A-75296/2018
Date 30.12.2018

Dy. Registrar of Copyrights

Expensed / stored at
Older dt. 26-9-18
99 24/2018

from RoC vide Kinkla Delhi High Court
dated 05/11/18
IA. 3997/2018,
Dy. Registrar of Copyrights

(KEHARI SINGH)
Examiner of Trade Marks
Officer in charge