

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).33238-33239/2025

[Arising out of impugned final judgment and order dated 07-11-2025 in WP No.19734/2013 07-11-2025 in WP No.25296/2013 passed by the High Court of Judicature at Madras]

M/S. JOHN DISTILLERIES PVT LIMITED

Petitioner(s)

VERSUS

M/S. ALLIED BLENDERS AND DISTILLERS PVT LTD.

Respondent(s)

Date : 17-11-2025 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) :Mr. Mukul Rohatgi, Sr. Adv.
Mr. Shyam Divan, Sr. Adv.
Mr. Sanjay Jain, Sr. Adv.
Mr. Manmohan Singh, Sr. Adv.
Mr. Arkaj Kumar, Adv.
Mr. Nikhil Rohatgi, Adv.
Mr. Sushant Singh, Adv.
Ms. Ramya Aggarwal, Adv.
Mr. Nishank Tripathi, Adv.
Mr. Aakarsh Mishra, Adv.
Mr. Sourav Pattnaik, Adv.
Mr. Yashwardan Singh, Adv.
Mr. Ankur Singhla, Adv.
Mr. Akshat Khanna, Adv.
Mr. Aayushmaan Vatsyayana, AOR

For Respondent(s) :Mr. Harish Salve, Sr. Adv.
Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Neeraj Kishan Kaul, Sr. Adv.
Mr. Akhil Sibal, Sr. Adv.
Mr. Puneet Bali, Sr. Adv.
Mr. Pravin Anand, Adv.
Ms. Ruby Singh Ahuja, Adv.
Mr. Shrawan Chopra, Adv.
Mr. Vishal Gehrana, Adv.
Ms. Aakriti Vohra, Adv.
Mr. K. Prem Chander, Adv.
Mr. Nc Vishal, Adv.
Mr. Achyut Tewari, Adv.
Ms. Krisha Baweja, Adv.
Mr. Tribhuvan Narain Singh, Adv.
M/s. Karanjawala & Co., AOR
Mr. Mahesh Agarwal, Adv.

Mr. Rishi Agrawala, Adv.
Mr. Ankur Saigal, Adv.
Ms. Sukrtiti Bhatnagar, Adv.
Ms. Rajshree Jaiswal, Adv.
Mr. L. Nidhiram Sharma, Adv.
Mr. E. C. Agrawala, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. The challenge herein is laid to the judgment dated 07.11.2025 passed by a Division Bench of the High Court of Judicature at Madras, whereby the order passed by the Intellectual Property Appellate Board (in short, the "IPAB") dated 08.03.2013 was set aside and the rectification filed by the respondent stands allowed, while that of the petitioner has been dismissed.
2. There is a Trademark dispute between the parties, who are in the business of liquor manufacturing. The respondent's product is marked as "Officer's Choice" while the petitioner's product is known as "Original Choice". Both parties, being aggrieved against the grant of Trademark to the other, sought rectification of the opponent's mark and approached the erstwhile IPAB. The Board rejected both the applications deeming the marks to be dissimilar and unlikely to deceive the public. Both parties then approached the High Court through cross writ petitions and vide the impugned judgment, the High Court allowed the writ petition filed by the respondent and consequently, the order dated 08.03.2013 of the IPAB has been set aside and rectification filed by the respondent stands allowed. As a necessary corollary, the writ petition filed by the petitioner and its rectification have been dismissed.
3. We have heard a battery of Senior Advocates appearing for both sides. Mr. Mukul Rohatgi, Mr. Shyam Divan, Mr. Sanjay Jain, and

Mr. Manmohan Singh, learned senior counsels appeared on behalf of the petitioner, whereas Mr. Harish Salve, Dr. Abhishek Manu Singhvi, Mr. Neeraj Kishan Kaul, Mr. Akhil Sibal, and Mr. Puneet Bali, learned senior counsels appeared on behalf of the respondent.

4. In the midst of the respective submissions, we have suggested the parties to explore the possibility of an amicable settlement through mediation. Both sides have very fairly agreed to take a chance and make an effort for such amicable resolution.

5. In this regard, we deem it appropriate to request Hon'ble Mr. Justice L. Nageswara Rao, Former Judge of this Court, to act as the Mediator. Having regard to the nature of urgency involved, we request the learned Mediator to take up the matter on priority basis and make an endeavour to conclude the settlement process at the earliest.

6. The parties are directed to contact Hon'ble Mr. Justice L. Nageswara Rao during the course of day with a request to His Lordship to fix a date for preliminary deliberations this week.

7. The learned Mediator shall fix his own honorarium, which shall be shared by the parties equally.

8. Post the matters on 08.12.2025.

9. T.P.(C) Nos. 1333-1334/2024 and SLP(C) No. 6570-6571/2024 are taken on Board.

10. Post the Transfer Petitions and SLP (C) No. 6570-6571/2024 on 08.12.2025.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR