



LEGAL WARNING

The Honorable Commercial Court Manjeri in IA 3/2022 had granted an ad interim injunction against the respondents shown below restraining them from using the trademark **Albaik or Ksa Albaik International** or any other name or mark similar or deceptively similar of our mark Albaik. We came to the knowledge from the reliable source that the respondents are trying to sell illegal franchisees in various parts of the country making an impression that they are the franchisees of us, the original, registered trademark holder of Albaik.

Hence we hereby inform that this notice will be considered as legal notice and any infraction thereof shall invite legal consequences under the law.

Moideen kuty
Proprietor ALBAIK

www.albaikindia.com | mail@albaikindia



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IN THE COMMERCIAL COURT OF MANJERI.

Present:- Sri.Renjith Krishnan.N., Subordinate Judge.

Friday, the 18th day of March, 2022

INTERLOCUTORY APPLICATION No. 3/2022

in

COMMERCIAL SUIT No. 43/2022

Between:-

M/s ALBAIK, Represented by its proprietor,
M. MoideenKutty, 70 years, S/o Abdul Karim Haji,
Mankarathodi House, Edapalayam, Patterkadavu P.O,
Malappuram District, Kerala State.

Petitioner
Plaintiff

And:-

1. Sikkandar Mohamed Sultan Aarif, 40 years,
Proprietorship Concern, GST No.33AWCPS6370D4ZJ,
New No. 53, Old No.24, 16 A, Second Floor,
Wellington Estate, Ethiraj Road, Egmore, Chennai,
Tamilnadu -600008.
2. M/s Metro Food Systems, Proprietorship Concern
by its proprietor, Sikkandar Mohamed Sultan Aarif,
FSSAI License No. 12421002002894, No-66/1,
Casa Major Road, Egmore, Chennai,
Tamilnadu -600008.
3. KSA Albaik International Private Limited,
Represented by its Managing Director,
A 906 Shelton Sapphire, Sector-15, Plot No.18-19,
CBD Belapur, Thane, Maharashtra -400614.
4. KSA Albaik International Pvt Ltd., Represented
by its Managing Director, Shop No. 12/355,
Ramdas Nayak Road, Opposite Globus Mall,
Hill Road, Bandra West, Mumbai -400050.

Respondents
Defendants

This petition coming on this day for hearing before me in the presence of Sri.Nineep.K, Advocate for the petitioner, and of Respondents are being not entered in appearance and the court passed the following:-



ORDER

Heard the counsel for the petitioner. Perused records.

2. I am satisfied that the petitioner has made out a *prima facie* case against the respondents. The object of granting injunction would be defeated by delay, if notice is issued before granting injunction. Hence, the respondents / defendants are restrained by an ad interim order of injunction from infringing the registered trademark of petitioner/plaintiff namely, 'ALBAIK' or 'KSA ALBAIK INTERNATIONAL' or any other name or mark similar or deceptively similar of 'ALBAIK' and passing off their goods / services by adopting a trade name which is identical or deceptively similar to petitioner / plaintiff's registered trademark 'ALBAIK' with any prefix or suffix and passing off their goods/services by marketing, advertising and offering its goods and services or in any other manner using or allowing 3rd parties to use petitioner/plaintiff's trademark 'ALBAIK' as a part or whole or its website/domain name <https://bandraalbaikinternational.com>, email if any and other social media accounts of the defendants denoting petitioner/plaintiff's trademark 'ALBAIK' either as trademark or part of trademark, trade name, corporate name, domain name, email address or any other manner until further orders.

3. Comply clause (a) and (b) proviso to Order 39, Rule 3 of the Code of Civil Procedure. Issue emergent notice to respondent. For return of notice: 23.5.2022.

Pronounced by me in open court on this the 18th day of March, 2022.

Typed by –Vinodan K

Compared by:

1. Vinodan K *Small*
2. P.Sahadevan *PS*



[Signature]
Subordinate Judge.

True Photo Copy

Fair Copy Supdt. 26/3/2022