



Health and Glow injunction

News & Updates • July 12, 2016

The Plaintiff Health and Glow Retailing Pvt. Ltd. filed a suit before the Madras High Court seeking to restrain the Defendants Dr. PB's Health and Glow Clinic from using its registered trade mark and name Health and Glow. In March 2007 the Court granted an interim injunction restraining the Defendants from using the Health and Glow trade mark. The Defendants filed an appeal before the Division Bench and in the meantime changed its trade mark to 'H&G Clinic'. The interim injunction was subsequently vacated by the Division Bench nearly 5 years later by an order which was immediately challenged by the Plaintiff by way of a Special Leave Petition before the Supreme Court. On the first day that the SLP was listed, the Defendants entered appearance and undertook that they would continue to use H&G Clinic for the pendency of the SLP. The SLP later came up on July 12, 2016. The Plaintiff was led by senior counsels Mr. Kapil Sibal and Mr. Sudhir Chandra. The Supreme Court passed a consent order recording that the Defendants will be bound by the undertaking to use H&G Clinic for the pendency of the suit proceedings and disposed of the SLP on this basis. *Health & Glow Retailing P. Ltd. v Dhiren Krishna Paul & Anr.*

