

भारतीय वीर न्यायिक

बीस रुपये

रु.20

Rs.20

TWENTY  
RUPEES

INDIA

INDIA NON JUDICIAL

தமிழ்நாடு தமில்நாடு TAMIL NADU

2728  
14-7-99

Vicky Brush Company

59AA 579885

V. SINGARAVEL  
STAMP VENDOR  
PERIAMBET, CHENNAI-9  
L.C. NO. 5/83/99

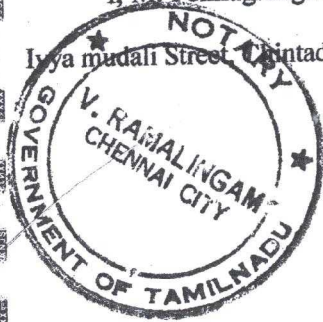
IN THE MATTER OF  
TRADE MARKS ACT, 1999

AND

Trade Mark Application  
No. 5 by M. Ponnurangam  
& M. Gangadharan trading as  
Vicky Brush Company to register  
their trade mark "Vicky"  
in class 35.

AFFIDAVIT

I, M. Ponnurangam, aged about 49 years, an Indian national, residing at 63,  
Iyya mudali Street, Chintadripet, Chennai-600 002.



For VICKY BRUSH COMPANY

Partner.

1. I am the Partner of M. Ponnuramgam & M. Gangadharan trading as Vicky Brush Company an Indian Partnership Concern, of No.63, Iyya Mudali Street, Chintadripet, Chennai, 600 002, Tamil Nadu, India (hereinafter referred to as "my company"), the applicants herein.

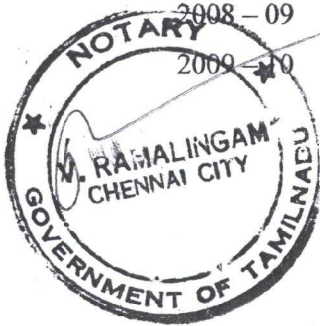
2. I am competent and authorized to make this affidavit on behalf of my company.

3. My company was established in the year 2005 and is engaged, inter alia, in the business of manufacturing & marketing of "Promotional material for advertising" (hereinafter referred to as the "said services");


4. The trade mark "Vicky premium brush and man device" the subject of trade mark application No. <sup>2000/60</sup> (hereinafter referred to as "said trade mark") has been used in India by my company Since 30 August 2005 on the said services.

5. I give below the figures relating to the sales of my company's said services in India under the said trade mark from the period 30 August 2005 to till date.

Year	Sales (in Rupees)
2005 - 06	<u>1600.000.00</u>
2006 - 07	<u>1946.372.50</u>
2007 - 08	<u>9497.834.00</u>
2008 - 09	<u>15429449.25</u>
2009 - 10	<u>21777690.77</u>



For VICKY BRUSH COMPANY

  
Partner.

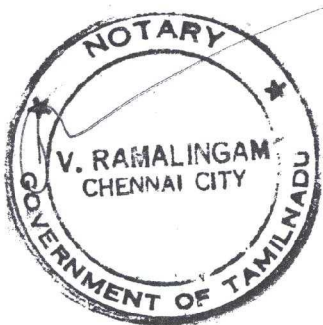
Hereto annexed and marked as Exhibit A are copies of a few invoices in respect of the said services.

6. During the period since 30 August 2005 my company has spent a sum in excess of Rs. 5,00,000/-..... for advertisement of the said services under the said trade mark. Hereto annexed and marked as Exhibit B are copies of a few advertisements made in respect of said services.

7. I say and submit that by reason of use and by reason of the quality of the said services to which it is applied, the said trademark has come to be well known and is identified with my company and my company alone onwards since 30 August 2005 for said services in class 35.

8. I further submit that the said trade mark has thus acquired distinctiveness.

9. In the premises I submit that my company is entitled to registration of the said trademark applied for in respect of the said services in the above mentioned application.



For VICKY BRUSH COMPANY  
*[Signature]*  
Partner.

I declare that the statements made in paragraphs 1 to 3 are based on my knowledge, the statements in paragraphs 4 to 6 are based on information obtained from the records of my company and the statements in paragraphs 7 to 9 are my submissions to the learned tribunal.

For VICKY BRUSH COMPANY

*M. Ponnuram*  
Partner.

Signed by

M. Ponnuram

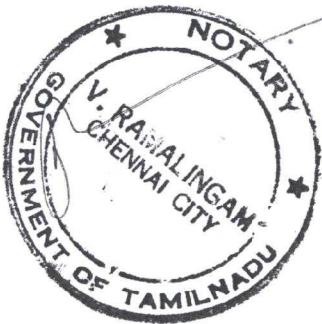
(NAME)

(DESIGNATION)

Solemnly affirmed

Signed at

This the 16<sup>th</sup> day of July 2010



*[Handwritten signature]*

*[Handwritten signature]*  
NOTARY PUBLIC  
V. RAMALINGAM, M.A., B.L.  
ADVOCATE & NOTARY  
439, ADDL LAW CHAMBER,  
HIGH COURT, CHENNAI - 600 104  
INDIA. Cell 9380883808