

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMMERCIAL MISCELLANEOUS PETITION (L) NO.9556 OF 2025

Comite International Olympique
Through Kapil Kumar Mahipal
Versus

....Petitioner

Registrar Of Trade Marks

....Respondent

Mr. Jehaan Mehta *a/w. Rupa Shaw, for Petitioner.*

Mr. Mahesh Shukla *a/w. Siddhikesh Shinde, for Respondents.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : AUGUST 4, 2026

ORDER :

1. This Petition is filed by the International Olympic Committee which adopted a further improvisation and extension of the English translation of the well-known Olympic motto '*Citius, Altius, Fortius*' to "*Faster, Higher, Stronger – Together*". The Registrar of Trade Marks has rejected registration of the mark, and such rejection is impugned.

2. Having heard the Learned Advocates for the parties, it is writ large on the face of the record that the Impugned Order is unsustainable and must be quashed and set aside, primarily for the evident lack of reasons and complete non-application of mind demonstrated in the Impugned Order.

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3. The Registrar has claimed in the Impugned Order that the material on record has been considered, but has not shown any indication as to how such consideration was made, and what weightage was assigned to the submissions and the material placed by the Petitioner.

4. The Impugned Order states that the application for registration of the mark has been filed on a “*proposed to be used*” basis without any relevant documents being filed for establishment of the trade mark and indicating that no material or corroborative evidence in support of the application for registration has been presented. However, it is evident from the material on record that the Petitioner’s governing body indeed passed a resolution for the adoption of the English words “*Faster, Higher, Stronger-Together*”. The observation that there is nothing to indicate establishment of the mark is inaccurate. It is apparent that this mark has been adopted and protection of the same has been sought worldwide. The registrations of the mark in various countries have also been presented to the Registrar, none of which has been considered, rendering stark, the statement in the Impugned Order that no evidence has at all been brought to bear.

5. Mr. Jehaan Mehta, Learned Advocate for the Petitioner points to documents and submissions (which include case law, legal propositions, and factual material including evidence of use and international registrations encompassing over 250 pages); Written Submissions dated 10th October 2022

(Additional Affidavit – Pages 995-1030); Additional documents in support for the hearing on 26th September 2023 (Additional Affidavit – Pages 1031-1108); and Additional Written Submissions dated 1st August 2024 (Additional Affidavit – Pages 1109-1255).

6. The Impugned Order merely states that the objections in the examination report “*cannot be waived*” without any articulation as to how the Petitioner’s submissions dealing with the contents of the examination report are unworthy of acceptance.

7. In these circumstances, the Impugned Order squarely falls within the realm of being an arbitrary and summary rejection of the trade mark application, which no reasonable person could have passed.

8. In these circumstances, it would be appropriate to allow this Petition, set aside the Impugned Order and remand the matter back to the Registrar of Trade Marks with a direction that some other responsible Officer shall examine the file and deal with the various contentions made by the Petitioner in response to the examination report presented to the Petitioner.

9. Therefore, the Petition is hereby ***finally disposed of*** by way of remand, directing that the application be considered afresh uninfluenced by whatever has transpired so far. Given the efflux of time, since the filing of this Petition, should any further supplemental submissions need to be made to demonstrate

further international use or protection afforded to the word mark applied for, the Petitioner would be at liberty to make such a supplemental submission with the Registry.

10. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]