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Trade Marks Act, 1999

Section 112B - Appeal.—

1) Whoever aggrieved by an order of the adjudicating officer under section 112A may prefer an appeal to the appellate authority, who shall be an officer at least one rank above the adjudicating officer, within a period of sixty days from the date of receipt of the order, as the Central Government may by notification authorise in this behalf. (2) Every appeal under this section shall be preferred in such form and manner as may be prescribed. (3) An appeal may be admitted after the expiry of the period of sixty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (4) No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard. (5) The appellate authority referred to in sub-section (1) shall dispose of the appeal within sixty days from the date of filing. (6) Notwithstanding anything contained in this Act, if the person fails to comply with the order of the adjudicating officer under section 112A or the order of the appellate authority under this section, as the case may be, within ninety days of such order, he shall, in addition to the penalty, be punishable with fine of one lakh rupees or imprisonment for a term which may extend to one year, or with both.]