



\$~49

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010381682026
+ CS(COMM) 898/2026, I.A. 22372/2026, I.A. 22376/2026,
I.A.22373/2026, I.A. 22374/2026 & I.A. 22377/2026
NOVARTIS AG & ANR. Plaintiffs
Through: Mr. Amit Sibal, Sr. Advocate with
Mr. Hemant Singh, Ms. Mamta Jha,
Mr. Abhay Tandon, Mr. Kriti Chulet,
Mr. Ritik Gawali, Advocates.
versus
ZYDUS LIFESCIENCES LIMITED Defendant
Through: Ms. Vrinda Pathak and Mr. P.S.
Manjunathan, Advocates.

CORAM:
HON'BLE MR. JUSTICE A. J. BHAMBHANI

ORDER

% **18.08.2026**

I.A. 22375/2026 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed of.

CS(COMM) 898/2026

I.A. 22371/2026 (interim injunction)

Let the plaint be registered as a suit.

2. Issue summons in the suit and notice on I.A.22371/2026.
3. Ms. Vrinda Pathak, learned counsel appears on behalf of the defendant on advance copy; accepts summons and notice; and on instructions, submits, that the defendant shall not manufacture for commercial purposes or launch any product containing the patented compound 'Dabrafenib' during the validity of the suit patent IN'655.



It is, however, submitted that defendant's rights under section 107A of the Patents Act, 1970 to use 'Dabrafenib' for the purpose of research, be protected.

4. Mr. Amit Sibal, learned senior counsel appearing for the plaintiffs submits, that in light of the undertaking offered by the defendant, the suit may be disposed-of, holding the defendant bound by the undertaking, subject to which the plaintiffs shall not press the monetary reliefs claimed in the suit.
5. Accordingly, the statement and undertaking made by Ms. Vrinda Pathak on behalf of the defendant is taken on record. The defendant shall remain bound by the undertaking given to the court, and shall not commercially manufacture, launch, import, export or deal in any API, pharmaceutical products or formulations containing the patented compound 'Dabrafenib' during the validity of IN'655. It is clarified however, that the rights of the defendant under section 107A of the Patents Act, 1970 will remain protected and reserved, subject to compliance of the conditions of the said provision.
6. The suit is accordingly decreed in terms of the undertaking given by the defendant, which shall form part of the decree.
7. The suit is disposed-of in the above terms.
8. Pending applications, if any, also stand disposed-of.
9. Let an affidavit in terms of the undertaking be filed by the defendant within a period of 02 weeks from today.

A. J. BHAMBHANI, J

AUGUST 18, 2026

V.Rawat