

ATUL

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 2814 OF 2002

Macleods Pharmaceuticals Limited	...Plaintiffs
<i>Versus</i>	
Indian Institute of Technology & Others	...Defendants

Mr. Ravi G., *i/b M/s. Kanga & Co., for the Plaintiffs.*
Mr. Himanshu Kane, *with Ms. Akshata Kamath, i/b M/s. W.S. Kane & Co., for the Defendants.*

CORAM: G.S. PATEL, J
DATED: 14th December 2016

PC:-

1. The Suit was taken to trial. At the time of final hearing, parties agreed that the following order would sufficiently protect both sides and dispose of the Suit. They sought time for instructions.

2. The parties now agree that the question of ownership of copyright in respect of the designs, drawings and three-dimensional models made from those drawings need not be decided. This is because the Learned Advocate for the Plaintiff states, on instructions, that those drawings, designs and three-dimensional models developed in Phase-I of the project in question are now old and not currently in use. The Plaintiff confirms that it is in

possession of the drawings and designs submitted as part of the interim report of November 1999.

3. It is also agreed that should the Plaintiff seek to use those designs, drawings and three-dimensional models developed pursuant to Phase-I of the project on a later date, it will do so at its sole and entire risk as to any liability in infringement.

4. In view of this, the Suit is dismissed as withdrawn. No order as to costs. Drawn up decree dispensed with.

5. Refund of court fee, if any, in accordance with the Rules.

6. The parties are directed to take back the originals of the documents submitted by them in evidence upon those being substituted by true copies certified by the Advocates for the respective parties.

7. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)