

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO. 398 OF 2017
IN
SUIT (L) NO. 118 OF 2017

Khursheed Anwar Mohammad Ali & Anr	...Plaintiffs
<i>Versus</i>	
Glumex Pharmaceuticals Mfg Pvt Ltd	...Defendants

Mr Alankar Kirpekar, *i/b MAG Legal, for the Plaintiffs.*
Ms Rita Yadav, *i/b Reeti Law Associates, for the Defendants.*
Dr MS Deshpande, *Court Receiver, present.*

CORAM: G.S. PATEL, J
DATED: 22nd March 2017

PC:-

1. There is no Affidavit in Reply. On behalf of the Defendants a statement is made that they have stopped using the impugned mark on the products since last year. The Court Receiver's report shows that there were several dozen boxes and cartons with the impugned mark found.

2. The Notice of Motion will have to be made absolute and it is accordingly made absolute in terms of prayer clauses (a), (b) and (c). However, in view of the statement made by the Defendants, there will be no order as to costs.

3. The Registry is directed to issue necessary the practice note having regard to the first proviso of Section 7 of the Commercial Courts, Commercial Division & Commercial Appellate Division of the High Courts Act 2015 since it appears that all such IPR suits will need to be registered, irrespective of the monetary claim, in the Commercial Division of the High Court. Existing matters will also be transferred and registered in the Commercial Division at the earliest possible in a phased manner. Place a copy of this order before the Prothonotary & Senior Master and the Registrar-Judicial I.

(G. S. PATEL, J.)