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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(COMM) 882/2017 & I.A.Nos. 15443-45/2017**

UCB BIOPHARMA SPRL

..... Plaintiff

Through: Mr. Sudhir Chandra, Sr. Adv. with
Mr. Pravin Anand, Ms. Archana
Shankar, Mr. Dhruv Anand, Ms.
Udita patro and Mr. Shamim,
Advocates.

versus

VINOD KUMAR CHAWLA & ANR

..... Defendants

Through: Ms. Rajeshwari M., Mr. Kumar
Chitranshu and Ms. Nupur Goswami,
Advocates.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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21.12.2017

1. Counsel appears for the defendants. Copy of the paper book has been supplied to the counsel for the defendants. Counsel for the defendants will file her vakalatnama during the course of the day.
2. During the course of arguments it is agreed and accordingly, the suit is disposed of with the consent order by recording that defendants are not infringing the patent of the plaintiff bearing no.200075 as defendants are not manufacturing for commercial sale of their pharmaceutical products and

accordingly the defendants are manufacturing their pharmaceutical products with respect to patent of the plaintiff only for the purpose of regulatory approval etc and in terms of a licence issued by the Drugs Controller under the Drugs and Cosmetics Act.

3. Let a copy of this license be given by the counsel for the defendants to the counsel for the plaintiff.

4. In view of the above, the suit is disposed of by recording the statement made on behalf of the defendants that defendants are not infringing the patent bearing no. 200075 of the plaintiff and the defendants are only manufacturing their pharmaceutical products in a limited manner and for the purpose of regulatory approval from the Drugs Controller.

5. It is however clarified that in case defendants are in any manner subsequently found to infringe the patent of the plaintiff, then plaintiff is always at liberty to file appropriate independent proceedings in accordance with law.

6. Since the suit is disposed of, all pending applications stand disposed of accordingly.

VALMIKI J. MEHTA, J

DECEMBER 21, 2017/ib