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

+ CS(COMM) 103/2018 & I.A.17682/2010, 8993/2011, 9126/2011,
9127/2011, 4284/2017 & 4447/2017

THE INDIAN PERFORMING RIGHT SOCIETY LTD Plaintiff

Through: Mr. Himanshu Bagai, Ms. Riddima
Sharma and Ms. Deep Shikha Sarkar,
Advs.

versus

KAPSONS FASHION PRIVATE LTD & ORS Defendants

Through: Mr. Arun Monga, Ms. Divya Sharma
and Ms. Marcellina Kalikotey, Advs.

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **26.07.2018**

1. The plaintiff is seeking permanent injunction against the defendants for restraining them from infringing the copyright in respect of any work of their members.
2. Vide order dated 21st January, 2011, this Court restrained the defendants from infringing the copyright in respect of work of any member of plaintiff's society and the said interim order has been continuing till date.
3. Learned counsels for the defendants submit that the defendants have neither infringed plaintiff's copyright nor they intend to use the copyright in respect of any member of the plaintiff's society. It is further submitted that if the defendants decide to use the copyright of member of the plaintiff in future, the defendant shall obtain the necessary licence in accordance with

the law.

4. In view of the statement made by learned counsels for the defendants, learned counsel for the plaintiff does not press this suit.
5. This suit is disposed of view of the statement made by the defendants today in Court. Pending applications are disposed of.
6. Copy of this order be given *dasti* to learned counsels for the parties under signature of Court Master.

J.R. MIDHA, J.

JULY 26, 2018
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