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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 407/2018 & I.A.No.19428/2015

CADILA HEALTHCARE LTD

..... Plaintiff

Through Mr.Kapil Kher, Advocate.

versus

UNITED BIOTECH PVT LTD

..... Defendant

Through Mr.Bharadwaj Jai Shankar, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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17.05.2018

Learned counsel for the parties state that the present matter has been amicably resolved between the plaintiff and the defendant on the following terms:-

- (i) The plaintiff (including its group companies and related entities) will not object to the defendant's use and sale of products under their trade mark LEVOTEC;
- (ii) The defendant (including its group companies and related entities) will not object to or oppose the use of the plaintiff's registered mark LEVODAY;
- (iii) The opposition filed by the plaintiff (being No.827495) against the defendant's application number 1767268 for the mark LEVOTEC, before the trade mark registry, will continue and the defendant shall not use the present settlement terms in the said opposition proceedings;

(iv) In consideration of the above, the plaintiff hereby gives up the prayers (a) to (e) made in the plaint.

Learned counsel for the parties pray that the present commercial suit be disposed of in accordance with the above settlement terms.

This Court has perused the above settlement terms and is of opinion that the same are fair, reasonable and legal.

Consequently, the present suit is disposed of in accordance with the aforesaid settlement terms. Registry is directed to prepare a decree sheet accordingly.

MANMOHAN, J

MAY 17, 2018

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