

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**INTERIM APPLICATION NO.1 OF 2020 (Not on Board)**

**IN  
COMMERCIAL IP SUIT (L) NO.37 OF 2020  
WITH  
LEAVE PETITION (L) NO.11 OF 2020  
IN  
COMMERCIAL IP SUIT (L) NO.37 OF 2020**

Pidilite Industries Limited

...Plaintiff

vs.

Tayyab Ali Malak And 2 Ors.

...Defendants

.....

Mr. Hiren Kamod, a/w. Mr. Nishad Nadkarni and Ms. Khushboo Jhunjhunwalla, i/b. M/s. Khaitan and Co., for the Plaintiff.

Mr. Shailesh Rai, i/b. Ms. Shivani R. Bindra, for the Defendants.

Mr. Nitin Sahadevan, Authorised signatory of the Plaintiff present.

Mr. Tayyab Ali Malak, Defendant No.1 present.

.....

**CORAM : S.C. GUPTE, J.**

**DATE: 12 FEBRUARY 2020**

**P.C.:**

. This Commercial IP Suit is in respect of infringement of registered trademarks as well as breach of copyright in a registered design and also a case of passing off. Learned Counsel for the parties tender Consent Terms duly signed by the parties through themselves/their authorized representatives and also by their respective advocates. Learned Counsel seek disposal of the suit in terms of the Consent Terms. The Consent Terms envisage a decree on admission in

terms of prayer clauses (a) to (k) of the plaint. The Consent Terms are taken on record, marked "X" for identification. The statements and undertakings contained therein are accepted.

2. Leave Petition (L) No.11 of 2020 is, in the premises, allowed, and a decree is passed in terms of the Consent Terms. No order as to costs. Refund of Court fees in accordance with the applicable rules. This order is passed in the presence of the signatories to the Consent Terms.

3. In view of the disposal of the suit, the interim application does not survive and is disposed of.

**(S.C.GUPTE, J.)**

Smita  
Gonsalves

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