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C.S.No.684 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2023

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THE HONOURABLE MS.JUSTICE P.T. ASHA

C.S.No.684 of 2019

1.CENTAUR PHARMACEUTICALS PVT.LTD

Centaur House, Shantinagar, Vakola,
Sataacruz (E), Mumbai-400 055,
Rep.By Director Ms.Rakhi Kadam
Authorised Signatory

2.KIBOW BIOTECH INC.

4781, West Chester Pike, Newtown Square,
PA 19073, United States Of America,
Rep.By Its Director Rahik Kadam
Authorised Signatory

... Plaintiffs

Vs.

1.LA RENON HEALTH CARE PVT.LTD.

No.207-208 ISCON Elegance, Circle P,
Prahlaad Nagar Cross Rd. SG Highway,
Ahmedabad-380 015
Rep. by its Directors

2.STANFORD LABORATORIES PVT. LTD.

5th Floor, Caddie Commercial Tower,
Aerociy, New Delhi-110 037,
Rep. by its Directors

...Defendants



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Prayer: Plaintiff has been filed under Order IV Rule 1 of Original Side Rules r/w. SS.2(1)(c)(xvii) & S.7 of the Commercial Courts Act, 2015 r/s Ss.48, 68, 69, 104, 108 - 109 of the Patents Act, 1970 to grant a judgement and decree on the following terms:-

a) Grant permanent injunction restraining the Defendants, their directors, shareholders, men, agents, partner, associate, officer, representative, servant and all other persons acting on Defendants' behalf or in their interest from in any manner infringing the Plaintiffs Patent No.224100 by in any manner using the Patent No.224100, and/or manufacturing, marketing, selling products infringing Patent No.224100 whether under the name Cudo Cudo Forte and/or 'Probigress' or otherwise;

(b) Direct the taking of accounts of the Defendants with respect to use of the Patent No.224100 and/or manufacture, marketing, sales of the infringing products whether under the name 'Cudo', 'Cudo Forte' and/or 'Probigress' or otherwise to ascertain the sums derived by the Defendants therefrom and to thereupon direct the Defendants to render the entire such sums to the Plaintiffs:



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(c) Direct the seizure, forfeiture and destruction of all Defendants products, including any raw materials used to manufacture the infringing products, and all materials, information and packaging used to market or sell the infringing products under the name 'Cudo'. 'Cudo Forte' and/or Probigress or otherwise;

(d) Award damages of Rs.1,00,00,000/- against the Defendants;

(e) An order for costs of the proceedings; and

(f). Such other order or orders as this Hon'ble Court may fit and proper in the facts and circumstances of the present case.

For Plaintiff : M/s.Vineet Subramani

For Defendants : Mr.Adarsh Ramanujan [D.1 and D.2]

J U D G E M E N T

The learned counsel for the Plaintiff seeks permission of this Court to withdraw the suit and he has also made an endorsement to that effect.



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2. In view of the submission and endorsement made by the learned counsel for the Plaintiff, this Suit is dismissed as withdrawn. No costs.

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Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

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