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

+ C.O. (COMM.IPD-TM) 313/2022 with I.A. 30703/2024

**SUN PHARMACEUTICAL INDUSTRIES
LIMITED**

.....Petitioner

Through: Mr. Hemant Singh, Ms. Mamta Rani
Jha, Mr. Sambhav Jain and Mr.
Sidhant Oberoi, Advocates.

versus

PFIZER INC. AND ANR

.....Respondents

Through: Mr. Nitin Sharma, Ms. Snehima
Jauhari, Mr. Sohrab Singh Mann and
Mr. Priyansh Kohli, Advocates for
R-1
Mr. Ashish K. Dixit, CGSC with Mr.
Shivam Tiwari, Ms. Deepika Kalra
and Ms. Venmi Kakkar, Advocates
for R-2.

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+ CS(COMM) 590/2016

SUN PHARMACEUTICAL INDUSTRIES LTDPlaintiff

Through: Mr. Hemant Singh, Ms. Mamta Rani
Jha, Mr. Sambhav Jain and Mr.
Sidhant Oberoi, Advocates.

versus

WYETH LIMITED & ORS

.....Defendants

Through: Mr. Nitin Sharma, Ms. Snehima
Jauhari, Mr. Sohrab Singh Mann and
Mr. Priyansh Kohli, Advocates for
D-1 to D-3.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL



ORDER

13.12.2024

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CS(COMM) 590/2016

1. Pursuant to the order passed by this Court on 21st November, 2024, Mr. Nitin Sharma, counsel for the defendants no.1 to 3 has returned with instructions which are set out below:

- (i) Defendants shall stop using the mark 'DORIS' in India. However, the defendants seek time of six months to exhaust their existing stocks of medicines bearing the mark 'DORIS'.
- (ii) Defendants shall file an affidavit giving details of their existing stock along with the month and year of manufacture.
- (iii) Defendants do not object to removal of the registration granted in their favour in respect of the mark 'DORIS' under Class 5.
- (iv) Defendants are ready to pay costs of ₹7.5 lacs to the plaintiff within a period of six (6) weeks from today.

2. Taking the aforesaid statements on record, the present suit is decreed in favour of the plaintiff in terms of prayer clauses 23 (a) and (b) of the plaint.

3. Mr. Hemant Singh, counsel appearing on behalf of the plaintiff does not press for remaining prayers.

4. The aforesaid affidavit in terms of paragraph 1(ii) above shall be filed by the defendants within two (2) weeks from today.

5. Decree sheet be drawn up.

C.O. (COMM.IPD-TM) 313/2022

6. In view of the settlement between the parties as noted above, the present petition is allowed and the Registry is directed to cancel and remove



the trademark registration no.2045066 in respect of the mark 'DORIS' granted in favour of the respondent no.1.

7. The Registry is directed to send a copy of the present order to the Trade Mark Registry at e-mail - llc-ipo@gov.in for compliance.

AMIT BANSAL, J

DECEMBER 13, 2024

Vivek/-