



\$~60

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

+ **CS(COMM) 571/2024 & I.A. 33247/2024, I.A. 41618/2024**

DR. REDDYS LABORATORIES LIMITEDPlaintiff

Through: Mr. Ranjan Narula, Mr. Shakti Priyan
Nair and Mr. Parth Bajaj, Advocates

versus

IKON PHARMACHEM PVT. LTD AND ORS.Defendants

Through: Mr. Rahul Verma from Nacent
Lifesciences

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

%

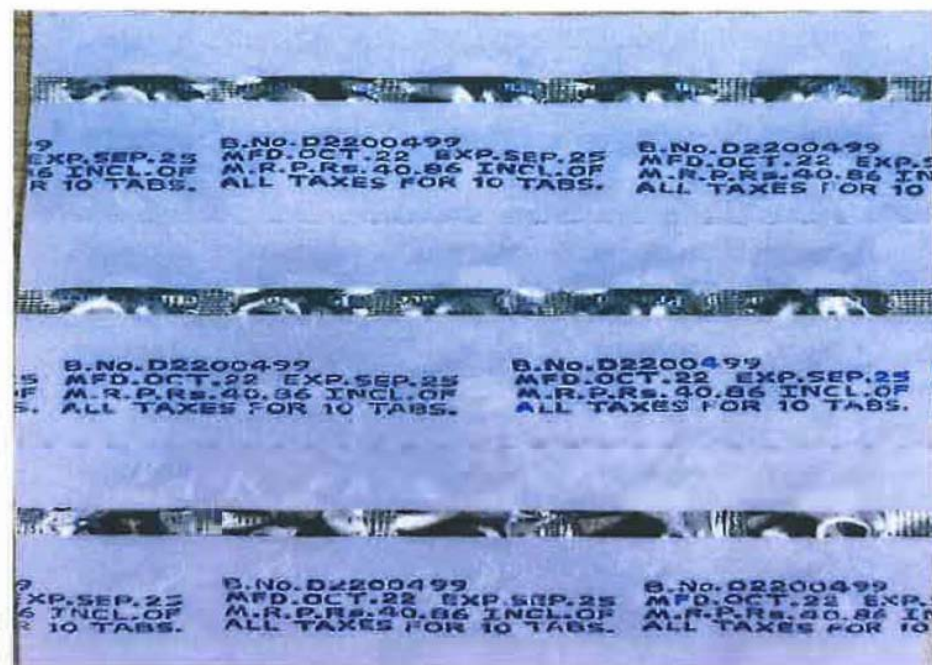
07.10.2024

I.A. 41618/2024 (Application under Order XXIII Rule 3 read with Section 151 CPC)

1. The present application has been filed on behalf of the plaintiff and the defendants jointly under Order XXIII Rule 3 read with Section 151 of Code of Civil Procedure, 1908 ("CPC").
2. The present suit has been instituted to protect the plaintiff's copyright and common law rights in the trade dress, packaging, color scheme and layout of its PRACTIN strip packaging, which has been blatantly copied by the defendants for sale of similar products under the trademark PACYPON.
3. It is submitted that during the pendency of the present proceedings, both the parties have arrived at a settlement on the terms and conditions, which are contained in Paragraph 3 of the present application.
4. Learned counsels for the parties present before this Court, confirm the terms of the settlement, and pray for the suit to be decreed, in terms thereof.
5. This Court has perused the terms of the settlement and finds the same to be lawful.



6. As per the settlement between the parties, defendants have recognized and acknowledged the plaintiff's exclusive proprietary rights and statutory rights, in the PRACTIN strip packaging, which is reproduced, as under:



7. Further, defendant no.1 has undertaken not to manufacture any new batch under the impugned strip packaging on behalf of defendant nos. 2 and 3, or any other firm/company, in the future.



8. Likewise, defendant nos. 2 and 3 have also confirmed that they are transitioning to a new packaging, and any new batch will be manufactured using the strip packaging, in the following manner:



9. Accordingly, the present suit is decreed in favour of the plaintiff, and against the defendants, in terms of the settlement arrived at between the parties, details of which, are contained in Paragraph-3 of the present application, which shall form part of the decree.

10. In view of the fact that the parties have arrived at a settlement, Registry is directed to issue a certificate for refund of full court fees, in favour of the plaintiff.

11. Let decree sheet be drawn up.

12. Accordingly, the present suit, along with the pending applications, is disposed of.

MINI PUSHKARNA, J

OCTOBER 7, 2024/au