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

+ **CS(COMM) 639/2024 with I.A. 35103-35108/2024**

INCYTE HOLDINGS CORPORATION & ORS.Plaintiffs

Through: Mr Hemant Singh, Ms Mamta Jha,
Mr Siddhant Sharma and Mr Abhay
Tandon, Advocates.

versus

DR REDDYS LABORATORIES LIMITEDDefendant

Through: Mr Sidhant Goel, Mr Mohit Goel,
Mr Deepankar Mishra and Mr Aditya
Goel, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

05.11.2024

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1. The present suit has been filed seeking permanent injunction restraining the defendant from infringing the registered patent of the plaintiff being Indian Patent No. IN269841 along with other ancillary reliefs.
2. An affidavit has been filed on behalf of the defendant on 20th August, 2024, wherein it has been stated on behalf of the defendant that the defendant does not intend to commercially launch or manufacture any product infringing the suit patent.
3. It is further stated that the defendant will use the suit patent in terms of activities permitted under Section 107A of the Patents Act, 1970.
4. The paragraphs 2 and 3 of the affidavit are set out below:

“2. I hereby state that the Defendant does not intend to commercially launch or manufacture any product falling within the claims of IN269841 until the expiry of



IN269841, unless IN269841 stands revoked or is found to be prima facie invalid or unenforceable in any proceedings in a court of law.

3. I further state that the Defendant will only use IN269841 for activities permitted under Section 107 A of the Patents Act, 1970.”

5. The aforesaid statement made on behalf of the defendant is taken on record and defendant shall remain bound by the same.
6. Accordingly, the present suit is decreed in terms of the prayer clause 61(a) of the plaint and in terms of the aforesaid affidavit filed on behalf of the defendant.
7. Let the decree sheet be drawn up.
8. All pending applications shall stand disposed of.

AMIT BANSAL, J

NOVEMBER 5, 2024

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