



\$~30

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 709/2019, I.A. 18491/2019, I.A. 3219/2020, I.A. 11421/2021, I.A. 11422/2021, I.A. 13388/2021, I.A. 13851/2021, I.A. 16992/2021, I.A. 15331/2022, I.A. 1075/2024**

PHARMACYCLICS, LLC & ANR. Plaintiffs

Through: **Mr. Pravin Anand, Mr. Dhruv Anand,
Ms. Udit Patro, Ms. Nimrat Singh,
Advocates.**

versus

NATCO PHARMA LIMITED Defendant

Through: **Mr. Tahir A.J. Advocate.**

**CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL**

**ORDER
30.05.2024**

%

I.A. 31246/2024 (Application under Order XXIII Rule 3 of CPC)

1. A joint application has been filed under Order XXIII Rule 3 of Code of Civil Procedure 1908 (“CPC”) placing on record the terms of settlement between the parties.
2. The said settlement is signed by the authorised signatories of the parties as well as counter signed by respective counsel for the parties, and is duly supported by affidavits.
3. The terms of the settlement are as under:



- i. Pharmacyclics, Johnson & Johnson and Natco have arrived at an out of Court settlement and entered into a Settlement Agreement dated 3rd May, 2024 (hereinafter referred to as the "*said Agreement*"), terms whereof are agreed to be strictly confidential between the Parties.
- ii. The Plaintiffs accordingly agrees to the disposal of the present lawsuit, CS (COMM) 709 of 2019 and all applications connected / filed therewith.
- iii. As part of the settlement entered into, Natco has undertaken to not manufacture, sell, supply or assist others in commercializing any product containing Ibrutinib, which is the subject matter of protection in the Suit Patent IN262968, until expiration of the said Suit Patent. Nothing in this Agreement precludes Natco from engaging in the activities allowed for under Section 107A of the Patents Act, 1970.
- iv. The Parties hereto state that they have no further claims or demands against each other and all the disputes and differences in regard to the above mentioned patent infringement suit filed by Pharmacyclics and Johnson & Johnson against Natco and Laurus, have been amicably settled.

4. The Court has perused the terms of settlement and finds them to be lawful and acceptable.
5. Parties shall be bound by the terms of settlement.
6. Decree sheet be drawn up accordingly.
7. Suit is disposed of in the above terms. Pending applications, if any, are rendered infructuous.
8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 30, 2024/RK/rj