



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 09.07.2025

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THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

A.No.3124 of 2025 in
C.S.(Comm.Div) SR. No.1493 of 2025

SUSE LLC, Represented by its Directors,
Having Office at 1221, S. Valley Grove Way #500,
Pleasant Grove, UT 84062.

... Applicant/Plaintiff

-VS-

ESDS Software Solution Pvt. Ltd., Represented by its Directors,
Having Office at Plot No.B24-25, Nice Industrial Area, Satpur, MIDC,
Nashik 422 007.

.. Respondent/Defendant

Prayer:Application is filed under Order XIV Rule 8 of the Original Side Rules Read With Order III Rule 1 of the OS Rules Read With Clause 12 of the Letters Patent, to grant leave to sue in the above suit as against the respondent.

For Applicant : Mr.Vineet Subramani

ORDER

In a proposed suit seeking relief in respect of alleged infringement of the plaintiff's copyright, the intending plaintiff seeks leave to sue the sole respondent before this Court.



SENTHILKUMAR RAMAMOORTHY,J.

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2. Learned counsel for the applicant submits that the relevant contract, Cloud Services Partner Agreement (CSPA), was implemented through its agent, Reddington India Limited (Reddington), at Chennai and that the applicant is entitled to institute the suit before this Court in view of Section 62 of the Copyright Act, 1957 (the Copyright Act).

3. From the averments in the draft plaint and the affidavit in support of this application to the effect that the CSPA was implemented through its agent, Reddington, at Chennai, it appears that at least part of the cause of action has arisen within the jurisdiction of this Court. Therefore, this application is allowed by granting leave to the applicant to sue the sole respondent. As a corollary, the Registry is directed to number the suit, if otherwise in order.

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