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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 244/2024, I.A. 2755/2025, I.A. 2756/2025, I.A. 2757/2025 & I.A. 2758/2025

MANKIND PHARMA LIMITEDPlaintiff

Through: Ms. Saumya Bajpai and Ms. Pranjal,
Advs.
M: 8826576220
Email: delhi@daswaniandaswani.com

versus

ARM ACCRO MARKETING PRIVATE LIMITEDDefendant

Through: Mr. Ashu Bhatia, Adv.
M: 9350152640
Email:
ashutoshbhatiaassociates@gmail.com

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
10.02.2025

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1. The present suit has been filed seeking permanent injunction restraining the defendant and all those acting for and on their behalf from manufacturing, selling, marketing or dealing with medicinal and pharmaceutical preparations under the mark 'BROZIDKIND' or any other trademark/ trade name with word element 'KIND', amounting to infringement and passing off of the plaintiff's 'KIND' family of marks.
2. Grievance of the plaintiff is against the defendant's use of the mark 'BROZIKIND', which is deceptively similar to the 'KIND' family of the plaintiff's marks and also, use of a trade dress deceptively similar to the



plaintiff's product, under the mark, 'ASTHAKIND'.

3. When the matter was listed on the last date of hearing, learned counsel appearing for the defendant had stated that the defendant had already stopped its business and was no longer manufacturing the products.

4. Learned counsel appearing for the defendant had further submitted that the defendant was ready to suffer a decree, in case the plaintiff gave up its prayer for cost and damages.

5. Today, learned counsel appearing for the plaintiff submits that she has taken instructions that the suit can be decreed in favour of the plaintiff, and that the plaintiff gives up its prayer for cost and damages.

6. Accordingly, with the consent of the parties, the suit is decreed in favour of the plaintiff and against the defendant in terms of paragraph 37 (a) to (c) of the plaint.

7. Let decree sheet be drawn up.

8. The present suit, along with the pending applications, stands disposed of.

9. The next date of hearing, i.e., 02nd April, 2025, stands cancelled.

MINI PUSHKARNA, J

FEBRUARY 10, 2025/kr