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

+ **CS(COMM) 327/2025, I.A. 9272/2025 & I.A. 9273/2025**

ALKEM LABORATORIES LTDPlaintiff

Through: Mr. Sagar Chandra, Advocate.

versus

SUNLIFE SCIENCES PVT LTD & ANR.Defendants

Through: Ms. Sangeeta Pal, Advocate for D-1.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

09.04.2025

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I.A. 9274/2025 (exemption from filing clearer, typed copies, vernacular and originals of certain documents)

1. Allowed, subject to plaintiff filing clear/typed copies of documents within four (4) weeks.
2. The plaintiff is exempted from filing originals at this stage.
3. Accordingly, the application stands disposed of.

I.A. 9275/2025 (under Section (U/s 12A of Commercial Courts Act)

4. As the present suit contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar v. T.K.D. Krithi*, 2023 SCC Online SC 1382, exemption from the requirement of pre-institution mediation is granted.
5. Accordingly, the application stands disposed of.

CS(COMM) 327/2025

6. The present suit has been filed seeking relief of permanent injunction,



restraining the defendant from infringing the trademark and copyright, passing off along with other ancillary reliefs.

7. The marks asserted by the plaintiff in the present suit are ‘A TO Z’/ ‘A

TO Z’ Logo , ‘A TO Z NS’, ‘A TO Z NS New’, ‘A TO Z NS+’ and ‘A TO Z Family of Marks’, which are used by the plaintiff, in respect of health supplements, nutraceuticals, pharmaceutical and medicinal preparations.

8. The grievance of the plaintiff in the present suit is with regard to

defendants using ‘A2Z’, ‘A2Z VIT/’ , ‘A2Z LIFE’, ‘’, ‘A2Z’ formative logos and using trade dress and blister strips similar to that used by the plaintiffs.

9. A comparison of the plaintiff’s products and the defendants’ products is given in the table below:

Plaintiffs ‘A TO Z NS’ / ‘A TO Z NS NEW’ / ‘A TO Z NS+’ Tablets	Defendants’ Impugned A2Z Tablets
	





				
Plaintiffs ‘A TO Z NS’/ ‘A TO Z NS+’ DROPS	Defendants’	Impugned	A2Z	
				
Plaintiffs A TO Z NS SYRUP	Defendants’	Impugned	A2Z	
	SYRUP			



10. Ms. Sangeeta Pal, counsel for the defendant no.1 has appeared on advance service.
11. The matter was passed over for Ms. Pal to take instructions from defendant no.1.
12. Upon instructions, Ms. Pal submits that the defendant no.1 is agreeable to not use the impugned marks/logo as well as the impugned blister strip and the trade dress.
13. The aforesaid statement is taken on record and the defendant no.1 shall be bound by the same.
14. Ms. Sangeeta Pal, counsel for defendant no.1 shall file her *vakalatnama* within one (1) week from today.
15. Mr. Chandra, counsel for the plaintiff has handed over a copy of an email dated 8th April, 2025 written on behalf of defendant no. 2 to the plaintiff, stating that the defendant no.2 have discontinued the use of the mark 'A2Z' /



‘A2Z’ formative marks.

16. For the purpose of good order and record, the Registry will scan a copy of the letter dated 8th April, 2025, so that it remains embedded in the case file.

17. In view of the aforesaid, it is clear that the defendants do not want to contest the present suit.

18. Accordingly, a decree of permanent injunction in terms of prayer clauses 71 (i), (ii), (iii), (iv) and (v) is passed in favour of the plaintiff and against the defendants.

19. Counsel for the plaintiff does not press for the remaining reliefs.

20. The suit is decreed in the aforesaid terms.

21. Let the decree sheet be drawn up.

22. Since the matter has been settled on the first date of hearing itself, the Registry is directed to issue a certificate of refund of 100% of the Court Fees in favour of the plaintiff, in terms of Section 16 of the Court Fees Act, 1870.

23. Accordingly, all pending applications stand disposed of.

AMIT BANSAL, J

APRIL 9, 2025

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