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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 861/2024, I.A. 41149/2024 & I.A. 4036/2025**
GLAXO GROUP LIMITEDPlaintiff
Through: Mr. Urfee Roomi, Ms. Janaki Arun,
Mr. Ritesh Kumar and Mr. Jaskaran
Singh, Advocates

versus

HARESHBHAI NATVARBHAI BHESANIA AND ORS.Defendants
Through: Mr. Bikash Ghorai & Ms. Vasupriya
Awasthi, Advocates for D-1-5.
Defendant no. 1 in-person through VC

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

ORDER
19.02.2025

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1. Counsel appearing on behalf of the defendants submits that the defendants are willing to settle the matter with the plaintiff.
2. Counsel for the defendants, on instructions from the defendant no. 1, who is one of the partners of the firm Lanox Pharmaceuticals and also represents the remaining partners, submits that the defendants are willing to settle the present case with the plaintiff on following terms:
 - i. Defendants have no objection if a decree of permanent injunction, as prayed for in the suit, is passed against the defendants.
 - ii. The defendants are also willing to pay a sum of ₹2 Lakhs, towards legal costs to the plaintiff.



3. Accordingly, a decree of permanent injunction is passed in favour of the plaintiff and against the defendants, in terms of prayer clauses 60 (a), 60 (b), 60 (c), and 60 (d).
4. A decree is passed in terms of prayer clause 60 (e), directing the defendants to amend the trading name of their firm Lanoxx Pharmaceuticals, so that it is not similar to the plaintiff's mark 'LANOXIN'.
5. A decree is also passed in terms of prayer clause 60 (f), directing the defendants to withdraw trademark applications no. 6246436 and 6246434 for the marks 'LANIXIME' and 'LANOXX' device respectively.
6. Costs of Rs. 2 Lakhs are awarded in favour of the plaintiff and against the defendants.
 - 6.1. Out of the aforesaid sum of ₹ 2 Lakhs, a sum of ₹1 Lakh shall be paid within two (2) weeks to the plaintiff and the balance amount of ₹1 Lakh shall be paid on or before 15th May, 2025.
 - 6.2. It is made clear that if the aforesaid amounts are not paid as per the dates fixed, the defendants shall also be liable to pay interest @ 9 % p.a.
7. The suit is decreed in the aforesaid terms.
8. Decree sheet be drawn up.
9. Since the matter has been settled at an early stage, the Registry is directed to issue a certificate of refund of entire Court Fees in favour of the plaintiff, in terms of Section 16 of the Court Fees Act, 1870.
10. All the pending applications stand disposed of.

AMIT BANSAL, J

FEBRUARY 19, 2025/at