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

+ **CS(COMM) 800/2023 & I.A. 8745/2025, I.A. 8797/2025**

NOKIA TECHNOLOGIES OYPlaintiff

Through: Ms. Abhilasha Nautiyal, Ms. Asavari Jain, Mr. Shuvam Bhattacharya, Mr. Vignesh Raj T, Advocates (M:6290634317)

versus

AMAZON SELLER SERVICES PRIVATE LIMITED & ORS.

.....Defendants

Through: Dr. Victor Vaibhav Tandon, Ms. Shruti Jain, Mr. Saif Rahman Ansari and Mr. Aniruddh Bhatia, Advocates Mr. Vijayendra Pratap Singh, Mr. Abhimanyu Chopra, Mr. Abhijnan Jha, Ms. Sadhvi Chhabra and Mr. Kushagra Jain, Advocates for D-5
Email: advocate.sadhvi@gmail.com
Mob: 9582252001

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
04.04.2025

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I.A. 8745/2025 (Application under Order XXIII Rule 1 read with Section 151 CPC)

1. The present application has been filed under Order XXIII Rule 1, read with Section 151 of the Code of Civil Procedure, 1908 ("CPC").
2. The present suit has been filed by the plaintiff, *inter alia*, for permanent injunction restraining the defendant from infringement of the



plaintiff's patents and for damages.

3. Learned counsel appearing for the plaintiff submits that plaintiff and defendant nos. 1 to 4 have entered into a Confidential Global Patent Agreement to settle their pending disputes and have consequently, decided to withdraw their respective claims, without prejudice to their respective rights.

4. Further, it is submitted that the plaintiff seeks liberty to institute any new suit for the same issues against the defendants, if any dispute arises between the parties in future, in accordance with law.

5. Learned counsel appearing for defendant no. 5, appearing on advance notice, submits that the defendant no. 5 is not a party to the settlement between the plaintiff and defendant nos. 1 to 4.

6. He further submits that defendant no. 5 is not bound by any settlement between the plaintiff and defendant nos. 1 to 4.

7. The aforesaid statement is recorded.

8. Accordingly, the present suit is dismissed as withdrawn, in view of the settlement between the plaintiff and defendant nos. 1 to 4.

9. The Registry of this Court is directed to issue a Certificate of Refund of 50% of the Court Fees in favour of the plaintiff, in terms Section 16A of the Court Fees Act, 1870.

10. At request, it is directed that the refund of the Court Fees shall be through the counsel for the plaintiff.

11. The present application is disposed of, with the liberty, as sought.

I.A. 8797/2025 (Application under Order XXIII Rule 1 read with Section 151 CPC)

12. The present application has been filed under Order XXIII Rule 1, read with Section 151 CPC on behalf of the counter claimants.



13. Learned counsel appearing for the counter claimants submits that the counter claimants have filed the counter claim, *inter alia*, for revocation of the patents of the plaintiff.

14. It is reiterated that the parties have entered into a Confidential Global Patent Agreement to settle their pending disputes and have consequently decided to withdraw their respective claims, without prejudice to their respective rights.

15. At this stage, learned counsel appearing for defendant no. 5 reiterates his submission that the defendant no. 5 is not a party to any Settlement Agreement and that he is not bound by the terms of such Settlement Agreement.

16. The aforesaid statement is recorded.

17. Accordingly, the counter claim is dismissed as withdrawn, in view of the settlement between the parties.

18. In view thereof, the Registry of this Court is directed to issue a Certificate of Refund of 50% of the Court Fees to the counter claimants in terms of Section 16A of the Court Fees Act, 1870.

19. At request, it is directed that the refund of the Court Fees, shall be through the counsel for the counter claimants.

20. The present application is disposed of, with the liberty, as sought.

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21. In view of the orders passed in *I.A. 8745/2025* & *I.A. 8797/2025*, the suit is dismissed as withdrawn, along with the pending applications.

22. The next date of 17th April, 2025, stands cancelled.

MINI PUSHKARNA, J

APRIL 4, 2025/ak