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

+ **CS(COMM) 1091/2024**

MANKIND PHARMA LIMITED

.....Plaintiff

Through: Mr. Ankur Sangal, Mr. Ankit Arvind,
Mr. Shashwat Rakshit, Ms. Nidhi Pathak and Mr.
Rishabh Rao, Advocates.

versus

SEPKIND PHARMA PRIVATE LIMITED & ANR.Defendants

Through: Mr. Sharad Kumar Jaiswal,
Defendant No. 2 through VC.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

25.02.2026

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I.A. 5224/2026

1. This joint application is filed on behalf of the parties under Order XXIII Rule 3 read with Section 151 CPC for recording the settlement between the parties.

2. During the pendency of the suit, parties have arrived at an amicable settlement of their *inter se* disputes and filed the present application incorporating the terms of settlement outlined in paragraph 3 of the application. For ready reference, terms of the settlement are extracted hereunder:-

"a. The Defendants acknowledge that the Plaintiff is the sole and exclusive proprietor of the trade mark/trade name/artistic work "MANKIND"/



 /  /  / and its "KIND" formative trade marks and has goodwill and reputation in same;

b. The Defendants agree and undertake that they will not use the trade

mark/trade name/corporate name 'SEPKIND'  /

 /  , or any other trade mark/trade name/artistic work as may be identical to or deceptively similar with the

Plaintiff's trade marks "MANKIND"/  /  /  / "KIND"/"KIND" formative trade marks;

c. The Defendants have ceased the business operations under the name of Defendant No. 1 i.e. SEPKIND PHARMA PRIVATE LIMITED, and have attached the necessary applications/documents filed for withdrawal before all relevant authorities with the present settlement application;

d. d. The Defendants confirm that they have withdrawn the below mentioned impugned trade mark applications/registrations or any other trade mark application(s)/registration(s) which is identical or deceptively

similar to the Plaintiff's trade marks "MANKIND"/  /  /  / "KIND" formative trade marks and have attached the withdrawal letters with the present settlement application –

S. NO	APPLICATION NO.	TRADE MARK	CLASS
1.	4980487	SEPKIND PHARMA LIMITED	5
2.	4902475		5
3.	5388828		5



e. The Defendants have ceased use of the domain name <https://www.sepkindpharma.in/> and shall not use/renew the same in the future;

f. The Defendants confirm that they have taken down their listings under

the trade mark/trade name "SEPKIND"/  /  /

 and have removed all references of the trade mark/trade

name "SEPKIND"/  /  /  from its social media pages, website and other third party websites or websites of its proprietor, partners or directors, as the case may be, its principal officers, distributors, licensees and agents, and all others acting for and on behalf of the Defendants

g. In view of the above terms and conditions, the present suit may be decreed in terms of the prayer clauses (a), (b), (c), (d) (e) and (f) of the Plaintiff;

h. That subject to the continued satisfaction of the terms in the present application and conditions agreed and undertaken by the Defendants, the Plaintiff agrees to not press for the reliefs of damages and rendition of accounts;

i. The Defendants have attached the details of existing stocks, if any, including the date of manufacture and batch numbers, along with the books of accounts regarding the products bearing the impugned trade

mark/ trade name "SEPKIND"/  /  /

 .”

3. Defendant No. 2, who is the Director of Defendant No. 1, has joined the Court proceedings virtually.
4. Court has perused the terms of the settlement and finds the same to be lawful.
5. Accordingly, for the reasons stated in the application, the same is



allowed and disposed of, recording the settlement between the parties.

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6. This suit is instituted on behalf of the Plaintiff *inter alia* seeking permanent injunction restraining the Defendants and all others acting on their behalf from infringing the registered trademarks of the Plaintiff

‘MANKIND’/  /  /  / ‘KIND’ formative trademarks and their variants and passing off. Reliefs of copyright, unfair trade practice, rendition of accounts, damages etc., are also sought.

7. In view of the order passed in I.A. 5224/2026 above, suit is decreed in terms of the settlement between the parties, which shall form part of the decree and bind the parties thereto.

8. Registry is directed to draw up the decree sheet.

9. Suit is disposed of along with the pending application.

10. Date of 20.04.2026 stands cancelled.

11. Plaintiff is held entitled to refund of entire court fees in accordance with the Court Fees Act, 1870.

JYOTI SINGH, J

FEBRUARY 25, 2026

S.Sharma