



\$~29

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

+ CS(COMM) 1316/2025, I.As. 30871/2025, 30872/2025, 30874/2025
30875/2025

INCYTE HOLDINGS CORPORATION & ORS.Plaintiffs

Through: Mr. Hemant Singh, Ms. Mamta Jha,
Mr. Abhay Tandon, Ms. Kriti Chulet and Ms.
Sadaf Rahman, Advocates.

versus

NATCO PHARMA LIMITEDDefendant

Through: Mr. Afzal Badar Khan, Mr. Dominic
Alvares, Ms. Amrita Majumdar and Mr. Sharad
Besoya, Advocates.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **25.04.2026**

1. Matter is taken up today as 03.03.2026 was declared holiday vide Notification No. 64/G-4/Genl.-I/DHC dated 27.02.2026.
2. This suit is instituted on behalf of the Plaintiffs *inter alia* seeking a decree of permanent injunction restraining the Defendant and all others acting on its behalf from using, manufacturing, stockpiling, importing, selling, offering for sale/supply either by way of promotion or by any other means, exporting and/or directly or indirectly dealing in Active Pharmaceutical Ingredient (API), pharmaceutical products or formulations containing Ruxolitinib by itself or Ruxolitinib either alone or as tablets in any form or in combination with other API or in any manner and form as may amount to infringement of Indian Patent No. 269841, amongst other



reliefs.

3. When the suit was listed on 10.12.2025, statement was made on behalf of the Defendant that it had not commercialized any product which infringed Plaintiff No. 1's Indian Patent No. 269841 covering the compound 'Ruxolitinib' and Defendant did not intend to do so within the period of validity of the suit patent. Thereafter, a compliance affidavit has been filed by the Defendant.

4. Learned counsel for the Plaintiff submits that in light of the statement made by the Defendant, the suit can be decreed. Learned counsel for Defendant, on instructions, submits that Defendant has no objection to suffer a decree of permanent injunction as it does not intend to commercialize the use of impugned product under the Indian Patent No. 269841.

5. Accordingly, a decree of permanent injunction is passed restraining the Defendant by itself as also through its directors, group companies, associates, divisions, assigns in business, licensees, franchisees, agents, distributors and dealers, in any manner, dealing in Active Pharmaceutical Ingredient, pharmaceutical products or formulations containing Ruxolitinib by itself or any other form which may amount to infringement of the Indian Patent No. 269841. Plaintiffs do not press any other relief.

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

7. Suit stands disposed of along with pending applications.

JYOTI SINGH, J

APRIL 25, 2026/RW