



2026:DHC:411

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

+ **CS(COMM) 84/2025 & I.A. 2537/2025, I.A. 6055/2025, I.A. 6056/2025**

ALKEM LABORATORIES LIMITED

.....Plaintiff

Through: Ms. Tusha Malhotra, Ms. Tanvi
Bhatnagar, Advocates
(M:9999748836)

versus

PREVEGO HEALTHCARE AND RESEARCH PVT LTD

.....Defendant

Through: Ms. Arundhati Katju, Sr. Adv. with
Mr. Siddharth Praveen Acharya, Mr.
Udit Malik, Mr. Shikhar Bardwaj, Mr.
Lakshay Sharma, Ms. Ritika Meena,
Advocates (M: 8080989023)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

% **06.03.2025**

I.A. 6056/2025 (Exemption from filing original and clear copies of documents)

1. The present is an application under Section 151 of the Code of Civil Procedure, 1908 ("CPC"), on behalf of the plaintiff, seeking exemption from filing originals, clearer and translated copies of documents with correct margins.
2. Exemption is granted, subject to all just exceptions.
3. Plaintiff shall file legible, clear, and translated copies of the documents, on which the plaintiff may seek to place reliance, before the next date of hearing.



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4. Accordingly, the present application is disposed of.

I.A. 6055/2025 (Application under Order XXXIX Rule 4, read with Section 151 CPC)

5. The present application has been filed under Order XXXIX Rule 4, read with Section 151 CPC, on behalf of the defendant for vacation of *ex-parte* order of interim injunction dated 30th January, 2025, granted in favour of the plaintiff.

6. Learned Senior Counsel for the defendant submits that the defendant is the true owner and lawful proprietor of the trademark “MULTIVEIN” which is a word mark and registered as 4742710.

7. Further, defendant is also using the mark/logo/brand name in stylised



form which is , in respect of the goods which is a nutraceutical.

8. Learned Senior Counsel for the defendant further submits that there is no word mark registration for the mark ‘A to Z’ in Class 5, in favour of the plaintiff. She further submits that two applications have been filed on behalf of the plaintiff for registration of trademark, ‘A to Z’ in Class 5, one of which was withdrawn and the other was abandoned. She submits that these facts were not brought before this Court and have been suppressed.

9. She further submits that ‘A to Z’ is a commonly used word. Therefore, the plaintiff cannot seek any monopoly over the said mark.

10. Per contra, learned counsel for the plaintiff submits that after the service of the notice, defendant has scaled up the manufacture of their products.

11. This aspect shall be considered at the appropriate stage.



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12. Issue notice. Notice is accepted by learned counsel for the plaintiff.
13. Let reply be filed within a period of three weeks. Rejoinder thereto, if any, be filed within a period of one week, thereafter.
14. At this stage, learned Senior Counsel for the defendant submits that the defendant is not able to use its existing stock. She, thus, requests that liberty may be granted to the defendant to exhaust the existing stock in the meanwhile. She further submits that the details of the stock with the defendant, along with Date of Manufacture and Batch Number, have already been filed, before this Court.
15. Considering the submissions made before this Court, the defendant is granted liberty to exhaust its existing stock, with the mark in question, i.e.,



16. Re-notify on 17th April, 2025.

MINI PUSHKARNA, J

MARCH 6, 2025

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