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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 380/2025**

SUN PATENT TRUST

.....Plaintiff

Through: Mr. Pravin Anand, Ms. Vaishali R.
Mittal, Mr. Siddhant Sharma, Mr.
Gursimran Singh and Ms.
Geetanjali, Advs

versus

**VIVO MOBILE COMMUNICATION CO. LTD.
& ORS.**

.....Defendants

Through: Mr. Sai Krishna Rajagopal, Ms.
Julien George, Ms. Anu Paarcha,
Mr. Arjun Gadhoke and Ms. Alka
Bisht, Advocates

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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14.07.2025

CM 16398/2025-By defendant no.1 seeking leave to file the confidential affidavit of Ms. Hungwen Chiang in sealed cover

1. By virtue of the present application, the defendant no.1 seeks to file confidential affidavit of one Ms. Hungwen Chiang in a sealed cover and also seeks for directions in terms of *paragraph 4* of the present application.
2. Issue notice.
3. Learned counsel for the plaintiff accepts notice. He submits that he has no objection if the present application is allowed, and the said confidential affidavit of Ms. Hungwen Chiang in a sealed cover, is taken



on record.

4. For the reason stated in the present application, and in view of the aforesaid statement made by learned counsel for the plaintiff, the present application is allowed and the defendant no.1 is granted a period of *two weeks* for filing confidential affidavit of Ms. Hungwen Chiang in a sealed cover.

5. The application stands disposed of.

CM 16376/2025-By defendants seeking production of documents

6. By virtue of the present application, the defendants seek direction to the plaintiff to place on record all its third party agreement(s) (expired or subsisting) pertaining to the suit patents involved in the present suit, as also seek for constitution of a confidentiality club in consonance with the requirements mentioned in paragraph 12 of the present application.

7. Issue notice.

8. Learned counsel for the plaintiff accepts notice. He seeks, and is granted, a period of *four weeks* for filing a reply.

9. Rejoinder thereto, if any, be filed within a period of *two weeks* thereafter.

10. Accordingly, renotify on 28.10.2025.

I.A. 10386/2025-Seeking payment of pro tem security

11. Learned counsel for the defendants submits that the reply has since been filed, alongwith an application seeking a condonation of delay in filing the same, however, the same are not on record.

12. Learned counsel for the plaintiff submits that though, there is a sufficient delay in filing the reply, he has no objection if the delay is condoned and the reply is taken on record.



13. Accordingly, in view of the aforesaid statement made by the learned counsel for the plaintiff, the delay in filing the reply is condoned, *albeit*, subject to defendants depositing a cost of Rs.25,000/- (*Rupees Twenty Five Thousand Only*) with the Delhi High Court Staff Welfare Fund [A/C 15530110074442; IFSC UCBA0001553] within a period of *two weeks*.

14. Further, the defendants are also directed file the sales data of the allegedly infringing devices in the suit patent in a sealed cover within a period of *two weeks*.

15. In view thereof, the learned counsel for the plaintiff seeks, and is granted, a period of *two weeks* for filing the rejoinder thereafter.

16. Additionally, learned counsel for the parties seek, and are granted, a period of *four weeks* to file their respective written synopsis not exceeding three pages, giving a chronological list of dates and events and relevant documents, if any, alongwith duly highlighted judgments setting out the propositions of law therein, they wish to rely upon.

17. Renotify on 21.08.2025 at 03:30 PM.

I.A. 10385/2025-Stay

18. In the present application too, learned counsel for the defendants submits that the reply has since been filed, alongwith an application seeking a condonation of delay in filing the same, however, the same are not on record.

19. Learned counsel for the plaintiff also submits that though, there is a sufficient delay in filing the reply, he has no objection if the delay is condoned and the reply is taken on record.

20. Accordingly, in view of the aforesaid statement made by the learned counsel for the plaintiff, the delay in filing the reply is condoned, *albeit*,



subject to defendants depositing a cost of Rs.25,000/- (*Rupees Twenty Five Thousand Only*) with the Delhi High Court Staff Welfare Fund [A/C 15530110074442; IFSC UCBA0001553] within a period of *two weeks*.

21. In view thereof, the learned counsel for the plaintiff seeks and is granted a period of *six weeks* for filing the rejoinder thereto.

22. Additionally, learned counsel for the parties seek, and are granted, a period of *six weeks* to file their respective written synopsis not exceeding three pages, giving a chronological list of dates and events and relevant documents, if any, alongwith duly highlighted judgments setting out the propositions of law therein, they wish to rely upon.

23. Renotify on 28.10.2025.

I.A. 10387/2025-Seeking discovery by interrogatories

24. Learned counsel for the defendants submits that the reply has since been filed, alongwith the condonation of delay application, however, the same are not on record.

25. Learned counsel for the plaintiff submits that though there is a sufficient delay in filing the same, he has no objection if the delay is condoned and the reply is taken on record.

26. Accordingly, the delay in filing the reply is condoned *albeit*, subject to defendants depositing a cost of Rs.25,000/- (*Rs. Twenty Five Thousand Only*) with the Delhi High Court Staff Welfare Fund [A/C 15530110074442; IFSC UCBA0001553] within a period of *two weeks*.

27. In view thereof, the learned counsel for the plaintiff seeks and is granted a period of *four weeks* for filing the rejoinder.

28. Accordingly, renotify on 28.10.2025.

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29. Renotify on 28.10.2025.

JULY 14, 2025/So

SAURABH BANERJEE, J