



2025:DHC:5426

\$~27

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 350/2024, I.A. 9658-9660/2024, I.A. 9666/2024**

DOLBY INTERNATIONAL AB & ANR. Plaintiffs

Through: Mr. Sandeep Sethi and Mr. Chander
M. Lall, Senior Advocates with
Ms. Saya Choudhary, Mr. Ashutosh
Kumar, Mr. Vivek Ranjan,
Mr. Devanshu Khanna, Mr. Swarnil
Dey, Ms. Harshita Pothiraj,
Mr. Abhinav Bhalla, Ms. Ananya
Mehen and Ms. Riya Kumar,
Advocates.

versus

LAVA INTERNATIONAL LIMITED Defendant

Through: Mr. Ashok K. Aggarwal, Mr. Mudit
Sharma, Ms. Nandini Sharma,
Mr. Parvez A. Khan, Ms. Saumya
Upadhyay and Mr. Abhishek Rathi,
Advocates.
Mr. Sahil Chaudhary and Ms. Preran
Chaudhary, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **22.05.2024**

I.A. 9655/2024 (under Order XXXIX Rule 1 and 2 r/w Section 151 of CPC)

1. Mr. Sandeep Sethi, Senior Counsel for the Plaintiff, states that despite previous directions, there has been no honest attempt, on the part of the Defendant, to resolve the dispute. Mr. Sethi submits that Defendant's counter offer is not acceptable to the Plaintiff which according to the them is abysmally low, as compare to the offer extended by the Plaintiff.

2. In the above circumstances, since it appears that no amicable resolution is possible between the parties, the Court has been called upon to adjudicate upon the instant application.



2025:DHC:5426

3. Mr. Ashok K. Aggarwal, counsel for Defendant, contends that the three (3) series patents in the AAC portfolio, which are the subject matter of the present suit, are not Standard Essential Patents (SEP). Nonetheless, Mr. Aggarwal without prejudice to his rights and contentions, states that Defendant is not opposed to depositing the amount as offered by them (INR 5.13/- per android device) to the Plaintiff.

4. Accordingly, following directions are issued:

4.1. Defendant is directed to make a monthly recurring security deposit, at the rate of INR 5.13/- per android device, before the 15th of each succeeding month.

4.2. Along with the security deposit, Defendant shall also file affidavits disclosing the complete details of their sales of android devices.

4.3. These directions shall come into effect from today.

5. Needless to say, the Court has not expressed any final opinion regarding a *pro-tem* arrangement under the Fair, Reasonable and Non-Discriminatory (FRAND) terms. Therefore, the security deposit amount, if required will be suitably revised.

6. List on 4th July, 2024.

SANJEEV NARULA, J

MAY 22, 2024/nk