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

+ **CS(COMM) 559/2021**

CIPLA LIMITED

.....Plaintiff

Through: Mr.Archana Sahadeva and Mr.Harshit
Bhoi, Advocates.

versus

CONCEPT BIOSCIENCES INDIA PVT. LTD & ORS.....Defendants
Through:

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

% **ORDER**
08.10.2024

I.A. 41793/2024 (under Order XXXIX Rule 2A read with Section 151 CPC)

1. The present application has been filed on behalf of the plaintiff under Order XXXIX Rule 2A read with Section 151 of Civil Procedure Code, 1908.
2. It is submitted that despite the order dated 10th November, 2021 passed by this Court, the contemnor no.1 is in wilful violation and disobedience of the order dated 10th November, 2021 passed by this Court. It is submitted that the contemnor no.2 is the Official Liquidator of the contemnor no.1 company, while the contemnor no.3 is a partnership firm by the name of M/s Concept Biosciences.
3. The present application has been filed, when recently in the month of September, 2024, the plaintiff came across the product OMIRAN GEL marketed



by defendant No.1 under trade dress . The trademark and trade dress adopted by the defendants/contemnors is deceptively similar and identical to the plaintiff's trade dress and trademark under the mark OMNIGEL, which already stands protected vide order dated 10th November, 2021.

4. Issue notice to the defendants by all modes.
5. Reply be filed within a period of four weeks, from the date of service. Rejoinder thereto, if any, be filed within a period of two weeks, thereafter.
6. List on the date already fixed i.e. 20th November, 2024.

MINI PUSHKARNA, J

OCTOBER 8, 2024/VLD