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

+ CS(COMM) 537/2025

GLAXO GROUP LIMITED AND ANR.Plaintiffs

Through: Mr. Urfee Roomi, Ms. Janaki Arun,
Ms. Anuja Chaudhury and Mr.
Arpit Singhal, Advs.

versus

MICRO LABS LIMITEDDefendant

Through: Mr. Hemant Daswani, Ms. Saumya
Bajpai, Ms. Surbhi Bhat, Mr. Kunal
Prakash, Mr. Amandeep Singh and
Ms. Camellia Nandi, Advs.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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28.05.2025

I.A. 13763/2025 (*Exemption from pre-institution mediation*)

1. The plaintiffs, *vide* the present application under *Section 12A* of the Commercial Courts Act, 2015, seek exemption from pre-litigation mediation.

2. Considering the factual matrix involved, especially since the parties are being referred for pre-litigation mediation before the Delhi High Court Mediation and Conciliation Centre, Delhi High Court (*DHCMCC*), the present application is disposed of.

I.A. 13760/2025-Stay, I.A. 13761/2025-Addl. Documents, I.A. 13762/2025-Exemption, I.A. 13764/2025-For permission to file documents in sealed cover

3. Learned counsel for the defendant, appearing on advance service, has furnished certain Invoices with respect to the impugned trademarks herein. The said Invoices are dated as far back as under:-



Trademark	Date of Earliest Invoice
HEXAMENTIN	2010
LUTIVIT	2005
MICROMENTIN	2015
ZEINTEK	2010
RADIP	2022
TOBRADEX	2006

4. Learned counsel for the defendant seeks, and is granted, three days after reopening of this Court after vacation, i.e. on or before 04.07.2025 to file the aforesaid/ all and any other supporting document along with it alongwith an affidavit.

5. Considering that the learned counsel for the defendant has already been able to produce voluminous documents with respect to the trademarks MICROMENTIN, HEXAMENTIN, TOBRADEX, LUTIVIT and ZENITEK since and from various time periods, even though this Court is dealing with pharmaceutical products, this Court deems it appropriate to refer the parties to pre-litigation mediation before the DHCMCC.

6. Accordingly, the parties are referred to pre-litigation mediation before the DHCMCC on 04.07.2025, wherein the parties and/ or their representatives/ counsel shall be allowed to join/ appear either through video conferencing or physically.

7. Needless to say, the parties are to proceed in accordance with the procedure laid down for pre-litigation mediation.

8. List before the Court on 14.08.2025.

SAURABH BANERJEE, J

MAY 28, 2025/Ab/bh