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

+ CS(COMM) 688/2022

SUN PHARMA LABORATORIES LTDPlaintiff

Through: Mr. Rohit Pradhan and Ms.
Prashansa Singh, Advocates

versus

INTAS PHARMACEUTICALS LIMITED & ANR.....Defendants

Through: Ms. Bitika Sharma and Mr. George
Vithayathil, Advs.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

04.09.2024

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1. Based on the pleadings of the parties, following issues are framed:-

i.) Whether the plaintiff is the registered proprietor of the trade mark SETARET? **OPP**

ii.) Whether the plaintiff is a prior user and proprietor of the trade mark SITARED? **OPP**

iii.) Whether the defendants are guilty of infringing the plaintiff's registered trade mark SITARET by using the impugned mark(s) SITARA-D and SITARE in respect of pharmaceutical preparations? **OPP**

iv.) Whether the defendants are guilty of passing off the plaintiff's registered trade marks SITARED and SETARET by using the impugned mark(s) SITARA-D and SITARE in



respect of medical and pharmaceutical preparations? **OPP**

v.) Whether the defendants are guilty of causing confusion and/ or deception amongst the members of the general public by adopting the impugned mark(s) SITARA-D and SITARE? **OPP**

vi.) Whether the plaintiff is entitled to a decree of permanent injunction? **OPP**

vii.) Cost(s), if any.

viii.) Relief(s), if any.

2. No other issue(s) arises and/ or is/ are pressed by learned counsel for the parties.

3. List before Joint Registrar for filing of evidence by the parties on 13.11.2024.

SAURABH BANERJEE, J

SEPTEMBER 4, 2024/rr