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

+ **CS(COMM) 914/2023 and I.A. 25715/2023 & I.A. 44076/2024**

KONINKLIJKE PHILIPS N. V. & ORS.Plaintiffs

Through: **Mr. Peeyoosh Kalra & Ms. Simranjot Kaur, Advocates.**

versus

KARMA MINDTECH & ORS.Defendants

Through: **Mr. Kunal Khanna, Mr. Madhav Anand, Mr. Kritin Bhasin, Mr. Yashveer Singh & Mr. Udit Sharma, Advocates.**

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **28.04.2025**

1. The matter is listed for framing of issues.
2. Based on the pleadings of the parties, the following issues are framed in the suit:

i. *Whether this Court has the territorial jurisdiction to entertain the present suit?* **~OPD**

ii. *Whether the defendants' use/sale of a pirated/tampered version of the plaintiffs' 'IntelliSpace Portal' software amounts to copyright infringement of the plaintiffs' software?* **~OPP**

iii. *Whether the defendants' use of the trade-marks "PHILIPS" and "INTELLISPACE" in relation to computer software/hardware/medical/diagnostic instruments constitutes*

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infringement of the Plaintiffs' registered trade-marks?

~OPP

iv. *Whether defendant no.2, being an ex-employee of plaintiff no.3, has misused plaintiffs' confidential information/trade secrets, and circumvented the technological measures implemented by plaintiffs to protect their 'IntelliSpace Portal' software and confidential information?*

~OPP

v. *Whether the plaintiffs are entitled to any damages?*

~OPP

vi. *Whether the plaintiffs are entitled to any relief and costs?*

~OPP

vii. *Relief*

3. No other issue is pressed for or arises for consideration.

4. Parties shall file their respective list of witnesses within four (4) weeks from today.

5. The plaintiffs shall file evidence of their witnesses by way of affidavits within six weeks from today.

6. List before the Joint Registrar on 15th July, 2025 for fixing the dates of trial.

AMIT BANSAL, J

APRIL 28, 2025

at

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