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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 943/2024 with I.A. 43909/2024, I.A. 43913/2024 & I.A. 43914/2024**

**MARC SALON AND BEAUTY
EQUIPMENTS PVT LTD**

.....Plaintiff

Through: Mr. Jayant Kumar, Ms. Ruchi Singh
and Mr. Sumit Verma, Advocates.

versus

M/S SAKHI BEAUTY CONCEPTS

.....Defendant

Through: Mr. Siddharth Srivastava, Mr. Saurav
Sharma, Ms. Khushi Gupta and Mr.
Sidak S. Kalra, Advocates.

**CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL**

ORDER
29.01.2025

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1. Pursuant to the order passed by this Court on 17th December, 2024, counsel for the plaintiff has returned with instructions.
2. He submits that the plaintiff is willing to settle the matter with the defendant so long as the defendant is willing to make some changes to its product designs so as to distinguish the same from the plaintiff's products. He submits that the plaintiff would have no objection if the defendant were to use the prior arts cited by the defendant.
3. Counsel for the defendant submits that some of the product designs of the plaintiff are the exact replicas of various prior arts and in respect of the same, there is no scope for the defendant to make changes.
- 3.1 I tend to agree with the aforesaid submission of the defendant.



4. Having heard counsel for the parties, I am of the view that the matter can be resolved between the parties through mediation.
5. Accordingly, parties are referred for mediation to Delhi High Court Mediation and Conciliation Centre ('Mediation Centre').
6. Based on the observations made above, the Mediator shall interact with the representatives of the parties and examine the product designs in respect of which, the defendant can be asked to make changes and the extent of such changes.
7. The parties, along with their respective counsel, shall appear before the Mediation Centre on 31st January, 2025 at 03:00 PM. The Mediator appointed by the Mediation Centre shall try and resolve the matter in an expeditious manner before the next date of hearing.
8. List before the Court on 28th February, 2025 to await the outcome of the mediation proceedings.

AMIT BANSAL, J

JANUARY 29, 2025
kd