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

+ **CS(COMM) 726/2018**

MACLEODS PHARMACEUTICALS LIMITEDPlaintiff

Through: Mr. Harshit Bhoi and Ms. Archana
Sahadeva, Advs.

versus

RIDLEY LIFE SCIENCE PVT. LTD.Defendant

Through: Mr. Anshuman Sharma and Mr. Azaz
Ahmed, Advs.
M: 9910207302
Email: anshuman.sharma@aslave.in

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
06.09.2024

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1. This Court notes that vide order dated 16th March, 2018, the undertaking of the defendant has been recorded that the defendant is willing to change the name and packaging from 'PANTADERM' and 'PANTADERM+' to any other name, which is not similar or deceptively similar to the plaintiff's mark 'PANDERM' and 'PANDERM+' and the plaintiff's packaging.
2. Mr. Anshuman Sharma, learned counsel appearing for the defendant submits that after recording of the undertaking by the defendant vide order dated 16th March, 2018, the defendant has not used the infringing mark.
3. It is noted that the only issue pending before this Court is with respect to the claim of the plaintiff, for grant of damages.



4. Learned counsel appearing for the defendant submits that the defendant is in financial difficulty and has already stopped the user of the infringing marks and packaging since the year 2018. Thus, he submits that quantum of damages may be imposed upon the defendant.
5. Accordingly, let instructions be taken by the plaintiff, in this regard.
6. In view of what has been recorded in the preceding paragraphs, this Court is inclined to close the matter after deciding the issue of quantum of damages, in favour of the plaintiff.
7. Accordingly, re-notify on 12th September, 2024.

MINI PUSHKARNA, J

SEPTEMBER 6, 2024/kr