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

+ **CS(COMM) 1408/2025**

MYOKARDIA INC. & ANR.

.....Plaintiffs

Through: Mr. Pravin Anand, Ms. Prachi Agarwal, Ms. Arpita Kulshreshtha, Ms. Elisha Sinha and Mr. Manan Mondal, Advocates.

versus

LUCIUS PHARMACEUTICAL & ANR.

.....Defendants

Through: Mr. Naman Joshi, Ms. Priya Goyal and Mr. Aakash Deep Singh, Advocates for D2.

CORAM:

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

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23.12.2025

I.A. 32502/2025(Exemption)

1. Exemption is allowed, subject to all just exceptions.
2. The Application stands disposed of.

I.A. 32500/2025(Exemption from pre-institution Mediation)

3. This is an Application filed by the Plaintiffs seeking exemption from instituting pre-litigation Mediation under Section 12A of the Commercial Courts Act, 2015 (“**CC Act**”).
4. As the present matter contemplates urgent interim relief, in light of the judgment of the Supreme Court in **Yamini Manohar v. T.K.D. Krithi**, 2023 SCC OnLine SC 1382, exemption from the requirement of pre-institution Mediation is granted.
5. The Application stands disposed of.

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I.A. 32501/2025(Extension of time to file Court Fees)

6. The present Application has been filed by the Plaintiffs under Section 149 read with Section 151 of the Code of Civil Procedure, 1908 (“CPC”), seeking exemption from payment of Court Fees at the time of the filing of the Suit.

7. Considering the submissions made in the present Application, time of two weeks is granted to deposit the Court Fees.

8. The Application stands disposed of.

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9. Let the Plaint be registered as a Suit.

10. Issue Summons. The learned Counsel for Defendant No. 2 accepts Summons.

11. Let the Summons be served to Defendant No. 1 through all permissible modes upon filing of the Process Fee.

12. The Summons shall state that the Written Statement(s) shall be filed by the Defendants within 30 days from the date of the receipt of Summons. Along with the Written Statement(s), the Defendants shall also file an Affidavit of Admission / Denial of the documents of the Plaintiffs, without which the Written Statement(s) shall not be taken on record.

13. Liberty is granted to the Plaintiffs to file Replication(s), if any, within 30 days from the receipt of the Written Statement(s). Along with the Replication(s) filed by the Plaintiffs, an Affidavit of Admission / Denial of the documents of Defendant(s) be filed by the Plaintiffs, without which the Replication(s) shall not be taken on record.

14. In case any Party is placing reliance on a document, which is not in their power and possession, its details and source shall be mentioned in the

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list of reliance, which shall also be filed with the pleadings.

15. If any of the Parties wish to seek inspection of any documents, the same shall be sought and given within the prescribed timelines.

16. List before the learned Joint Registrar on 27.02.2026 for completion of service and pleadings.

I.A. 32499/2025(Additional Documents)

17. The present Application has been filed on behalf of the Plaintiffs under Order XI Rule 1(4) of the CPC as applicable to Commercial Suits under the CC Act, seeking leave to place on record additional documents.

18. The Plaintiffs are permitted to file additional documents in accordance with the provisions of the CC Act and the Delhi High Court (Original Side) Rules, 2018.

19. Accordingly, the Application stands disposed of.

I.A. 32498/2025(for seeking discovery, production & inspection of Defendants' documents)

20. This Application has been filed by the Plaintiffs under Order XI Rule 1(6) of the CPC as amended by the CC Act read with Section 151 of CPC, seeking discovery, production and inspection of the Defendants' documents.

21. Issue Notice. Notice be served upon Defendant No. 1 through all permissible modes upon filing of the Process Fees.

22. Let the Reply to the Application be filed within a period of four weeks from date. Rejoinder thereto, if any, be filed within a period of two weeks thereafter.

23. List before the Joint Registrar on 27.02.2026 for completion of service and pleadings.

24. List before this Court on 28.04.2026.

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I.A. 32497/2025(U/O XXXIX Rule 1 and 2 of CPC)

25. Issue Notice. The learned Counsel for Defendant No. 2 accepts Notice.

26. Notice be served to Defendant No. 1 through all permissible modes upon filing of the Process Fees.

27. The present Suit has been filed for permanent injunction restraining infringement of Indian Patent No. 392872 ("**Suit Patent**"), rendition of accounts, damages, etc.

28. The learned Counsel for the Plaintiffs made the following submissions:

28.1 Plaintiff No. 1, MyoKardia Inc., is engaged in discovering and developing targeted therapies for the treatment of serious cardiovascular diseases. Plaintiff No. 1 develops therapies that address key clinical needs for patients with genetic heart diseases, including hypertrophic cardiomyopathy ("**HCM**") and dilated cardiomyopathy. Plaintiff No. 2, Bristol-Myers Squibb India Pvt. Ltd., is a private limited company incorporated in 2004. Plaintiff Nos. 1 and 2 are subsidiaries of the Bristol-Myers Squibb Company

28.2 The Suit Patent covers and claims novel pyrimidinedione compounds, that are useful for the treatment of cardiac conditions, such as HCM. Medical therapy for HCM is limited to the treatment of symptoms and does not address the fundamental, underlying cause of disease, disruptions in normal sarcomere function. Thus, there was a long-felt need for improved treatment of HCM and related cardiac disorders. The suit patent claims, in relevant part, a new chemical entity for the drug that is now known by its International Non-proprietary Name ("**INN**") Mavacamten and is being sold



under the brand name Kopozgo® in India and under the trademark Camzyos® in the international markets. The bibliographical details of the Suit Patent are as under:

Indian Patent Number	392872
Patent Application Number	4156/KOLNP/2015
Applicant/Patentee	Plaintiff No. 1
Title	Pyrimidinedione Compounds Against Cardiac Conditions
International Application No.	PCT/US2014/043192
International Filing Date (Date of Patent)	19th June 2014
National Phase entry-filing date of Indian Application	18th December 2015
Date of Priority	61/838,088 (filed on 21 June 2013); 61/939,655 (filed on 13 February 2014); 61/981,366 (filed on 18 April 2014)
WO Publication No.	WO 2014/205223 A1
International Publication Date	24th December 2014
Publication Date (u/s 11A)	11th March 2016
Date of Grant	24th March 2022
Publication Date (u/s 43(2))	1st April 2022
Date of Expiry	19th June 2034

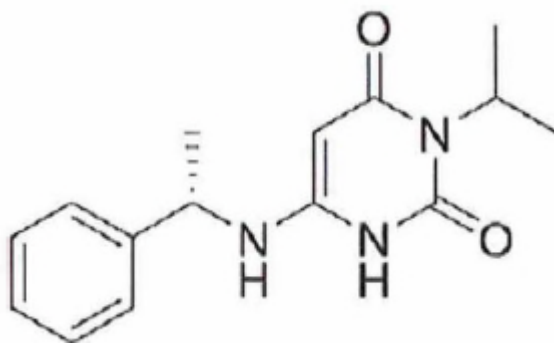
28.3 The Suit Patent is a valid and subsisting patent in India. The Suit Patent has a term of 20 years from 19.06.2014 and expires on 19.06.2034. The Suit Patent has been granted after a thorough round of scrutiny at the Indian Patent Office through a substantive examination process. Furthermore, there has been no pre-grant or post-grant oppositions filed against the Suit Patent in India. The Suit Patent has been granted by the Indian Patent Office in respect of an invention titled ‘Pyrimidinedione Compounds Against Cardiac conditions’ on Application No.

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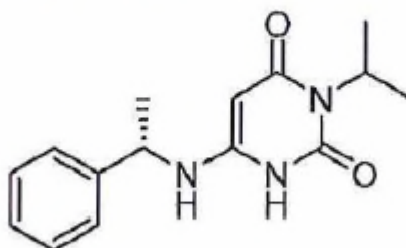
4156/KOLNP/2015. The Suit Patent specifically discloses and claims, *inter alia*, the novel compound, (S)- 3-isopropyl-6-((1-phenylethyl)amino) pyrimidine-2,4(1H,3H)-dione. It has the molecular formula $C_{15}H_{19}N_3O_2$ and the following chemical structure.



28.4 The Suit Patent specifically claims, discloses and covers INN Mavacamten.

Claim 14:

A compound as claimed in claim 1, having the formula:



or a pharmaceutically acceptable salt thereof.

28.5 Mavacamten is the Active Pharmaceutical Ingredient in the commercial product, which is marketed in various countries worldwide under the brand name Camzyos® and in India under the brand name Kopozgo®.

28.6 Defendant No. 1, Lucius Pharmaceuticals, is stated to be incorporated in or around the year 2020 under the laws of Lao PDR and is operating



under the name Lucius Pharmaceuticals (Lao) Ltd. with its principal office at No. 26, Thongmang Village, Xaythany District, Vientiane Capital, Laos. Defendant No. 1 holds itself out on its websites, <https://lucius-pharmaceuticals.com>, and <https://www.lucius.la> (“**Defendant No. 1’s Websites**”), through which Defendant No. 1 can be contacted and from which orders can be placed even from India, including Delhi. Defendant No. 2, IndiaMart Intermesh Ltd., is a company incorporated in the year 1999.

28.7 As per the prescribing information available on the Defendant No. 1’s Websites, it claims to be the manufacturer of the generic Mavacamten marketed under the brand name LuciMava (“**Infringing Product**”) and is claimed to be a cardiac myosin inhibitor indicated for the treatment of adults with symptomatic NYHA class II-III obstructive HCM. The Infringing Product manufactured by Defendant No. 1 is listed on Defendant No. 1’s Websites, as also on the e-commerce website, www.indiamart.com, of Defendant No. 2 in India, wherein Defendant No. 2 has listed the Infringing Product as one of its products and is advertising and offering to sell the Infringing Product in India through various sellers and distributors. Multiple listings of the Infringing Product have been found on the platform of Defendant No. 2. In June 2025, the Plaintiff became aware that Defendant No. 1 is selling the Infringing Product in India, without any regulatory approval.

28.8 In order to verify actual commercial availability of the Infringing Product, the investigator on 14.07.2025 sent a message to Defendant No. 1 via WhatsApp. While no response was received to the message, the investigator was subsequently added to a WhatsApp group comprising of the contact numbers +8562094105032 with the username Jennie and



+85293516740 with the username Lucius Pharmacy. The representative of Defendant No. 1 who identified herself as Jennie admitted to the availability of the Infringing Product and confirmed that the product was offered for sale internationally, including shipment to India. Jennie further provided a formal invoice / price list quoting \$131, which is about ₹11,582 per box along with an additional \$50 as shipping charges, subject to the buyer furnishing a prescription and patient identification document.

28.9 The Infringing Product is bound to target customers, consumers, hospitals, clinics, patients, doctors, and other medical practitioners across India including in New Delhi. It will cause immense harm and damage to the Plaintiffs. In addition to the above, the infringing acts of Defendant No. 1 will also result in unfair competition by misappropriation of the Suit Patent, know-how and technology.

29. The learned Counsel for Defendant No. 2 submitted that Defendant No. 2 will comply with the directions passed in the Order, however, the listings of the Infringing Product as indicated in the Suit have already been taken down by Defendant No. 1. The learned Counsel for the Plaintiffs confirms that the listings for the Infringing Product on Defendant No. 2's platform have been taken down. Accordingly, no interim direction is sought against Defendant No. 2 at this stage.

30. Having considered the submissions advanced by the learned Counsel for the Plaintiffs, the pleadings and the documents placed on record, it is *prima facie* evident that the Infringing Product contains the Active Pharmaceutical Ingredient, Mavacamten, qua which the Plaintiffs have a valid patent registration, i.e., the Suit Patent bearing No. IN 392872.



31. The Plaintiffs have made out a *prima facie* case for grant of an *ex-parte ad-interim* injunction. The Balance of convenience is in favour of the Plaintiffs and against Defendant No. 1. Irreparable injury would be caused to the Plaintiffs if an injunction is not granted.

32. Accordingly, till the next date of hearing, the Defendants, their directors, employees, officers, servants, agents, stockists, retailers, semi stockiest, wholesalers, marketers, distributors, affiliates, any other entity/person in the chain of supply and all others acting for and on their behalf are restrained from using, making, manufacturing, selling, distributing, advertising, exporting, offering for sale, importing to India or in any other manner, directly or indirectly, dealing in generic Mavacamten including but not limited to LuciMava, and / or any other product(s) that infringes the claims of Indian Patent No. IN 392872, or doing any other act which violates the Plaintiffs' rights under Section 48 of the Patents Act, 1970.

33. Let the Reply to the present Application be filed within four weeks after service of Notice. Rejoinder thereto, if any, be filed before the next date of hearing.

34. The compliance of Order XXXIX Rule 3 of the CPC be done within two weeks.

35. List before this Court on 28.04.2026.

TEJAS KARIA, J

DECEMBER 23, 2025

sms