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

+ CS(COMM) 1222/2018, I.A. 13481/2019, I.A. 13482/2019,
CC(COMM) 7/2020, I.A. 10917/2021, I.A. 11351/2023.
COMMUNICATION COMPONENTS ANTENNA INC..... Plaintiff

Through: Mr. Mohit Goyal, Mr. Siddhant Goyal,
Advocate (*through* VC), Mr. Deepankar
Mishra and Mr. Aditya Goel,
Advocates.

versus

ACE TECHNOLOGIES CORP. AND ORS. Defendants

Through: Mr. Anshul Gupta and Mr. Shubham.
Kaushik, Advocate.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **12.01.2024**

I.A. 801/2024 (*Application for Constitution of Confidentiality Club*)

1. This application has been filed on behalf of the plaintiff for constituting a Confidentiality Club and allowing access to the documents filed by the defendants under sealed cover, before this Court. This application has been moved in the context of the suit filed by the plaintiff against the defendants for infringement of their Patent No. IN240893 along with claim for injunction, damages, rendition of accounts of profits etc.
2. It is averred in this application, that as per the information available with the plaintiffs, the defendants have filed multiple sealed cover envelopes containing information about the sale of impugned antenna models assailed as infringing products in the suit.
3. Moreover, apparently some of the envelopes have information regarding



the cash deposits made before the Hon'ble Court pursuant to order dated 12th July 2019 and 31st October 2019.

4. *Vide* order dated 14th December 2023, the Court has laid down the schedule for recording of the evidence before the Local Commissioner. The evidence by way of affidavits has to be filed by the parties by 22nd February 2024.

5. In order to prepare a consolidated evidence affidavit on the issue in the suit, plaintiffs require access to the documents filed by the defendants under sealed cover before the Court. The plea for constituting a Confidentiality Club is therefore made in this context in terms of Rule 11 of The High Court of Delhi Rules Governing Patent Suits, 2022, as also Chapter VII Rule 17, Delhi High Court (Original Side) Rules, 2018.

6. The Confidentiality Club is constituted consisting the following members:

Sr. No.	Plaintiff's Lawyers
1.	Mr. Gaurav Pachnanda, Senior Advocate
2.	Sidhant Goel, Advocate
3.	Mohit Goel, Advocate
4.	Aditya Goel, Advocate
5.	Deepankar Mishra, Advocate
6.	Avni Sharma, Advocate
7.	Dr. Swati Chakravarty-Marcon, representative of the Plaintiff
8.	Mr. Dennis Nathan, representative of the Plaintiff.



(Counsel for the defendant's states that no name is required since the plaintiff only requires access to the documents already filed by the defendants).

8. Accordingly, all the members of the Confidentiality Club undertake to keep the information that they gather confidential and not to reveal the same to anyone without the permission of this Court. If any person outside the Confidentiality Club is to be communicated the information contained in sealed cover, an appropriate application for the same shall be moved before the Court.

9. The Registry is directed to grant access to the said sealed covers filed by the defendants to Mr. Sidhant Goel, Advocate for the plaintiff.

10. Mr. Sidhant Goel, Advocate, who is part of Confidentiality Club will accordingly ensure that the sealed covers are opened and copies are made in a secure fashion, and the sealed covers are re-sealed and given back to the Registry.

11. The copies so made from the documents in sealed cover will form part of the documents with the Confidentiality Club. The said documents shall not be used for any other purpose except for the present litigation.

12. The application is therefore disposed of.

I.A. 25057/2023 *(Condonation of delay in re-filing the present appeal)*

1. Counsel for the parties agreed that the said application is infructuous since the appeal is allowed.

2. The application is disposed of

CS(COMM) 1222/2018

1. Let the matter be listed before the Local Commissioner on 18th January,



2024, in order that the Local Commissioner is able to schedule further sittings as per consensus between the parties and convenience of the Local Commissioner.

2. List before the Court on 21st May, 2024.
3. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JANUARY 12, 2024/RK/ig