



\$~5

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

+ CS(COMM) 624/2017 & CCP (O) 36/2017, I.A.Nos.10908-10909/2017, 10911-10912, 12207/2017

PFIZER INC. & ORS

..... Plaintiffs

Through Mr.Pravin Anand with Ms.Tusha
Malhotra and Ms.Rashi Punia,
Advocates.

versus

LUCIUS PHARMACEUTICALS & ORS.

..... Defendants

Through Mr.Manav Gupta with Ms.Esha Dutta
nad Mr.Sahil Garg, Advocates for D-
3.
Mr.Parveen Kumar Aggarwal,
Advocate for D-4.
Mr.Jitendra Bharti, Advocate for D-
5.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

%

29.01.2018

Today learned counsel for defendant no.3 states that the said defendant has no intention of infringing the Indian Patent Nos. IN249316, IN250050, IN243571 (Crizotinib), IN209251 (Sunitinib) and IN232353 (Axitinib). He states that he has no objection if the present suit is decreed in accordance with prayer (a) of the plaint. He also states that whatever information the defendant no.3 had, he has already shared with the plaintiffs.

However, Mr.Pravin Anand, learned senior counsel for the plaintiffs states that the information that has been shared by defendant



no.3 has not been found to be true and correct.

Consequently, the defendant no.3 is given liberty to file a written statement and/or an appropriate application in accordance with law within a period of four weeks.

Issue fresh summons to defendant nos.1 and 2 by registered AD post, courier as well as email.

As none appears for defendant no.6, it is proceeded *ex parte*.

List the matter before the Joint Registrar for completion of service and pleadings on the date already fixed i.e. 13th March, 2018.

List the matter before the Court on 10th July, 2018.

MANMOHAN, J

JANUARY 29, 2018
KA