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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION

INTERIM APPLICATION (L) NO.24868 OF 2024
IN
COM IPR SUIT (L) NO.24745 OF 2024

Lupin Limited

...Applicant /
Plaintiff

Versus

J.B. Chemicals and Pharmaceuticals Ltd. &
Ors.

...Defendants

Amit Jamsandekar, Alka Parelakr i/b. M/s. V.A. Associates for the
Applicant / Plaintiff.
Mahesh Mahadgut, Thru V.C.
Kaivalya Shetye for the Defendant.

CORAM : R.I. CHAGLA J.

DATE : 2ND SEPTEMBER, 2024.

ORDER :

1. The matter has been placed today for settlement. On the
previous date i.e. 12th August, 2024, the Counsel for the Defendants
had stated on instructions that the impugned mark "RABIET" would
be recalled from the market from that date. It was further stated that,



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the Defendants have discontinued the use of the impugned mark. This Court had accepted the statement as an undertaking to this Court.

2. Mr. Mahadgut the learned Counsel for the Defendants states that the statement is being adhered to. He has relied upon a compilation of documents to that effect.

3. The learned Counsel for the Plaintiff has sought time to take instructions and to consider the documents. She states that the volume of sales are required to be ascertained.

4. Accordingly, the Defendants shall file an Affidavit disclosing these documents which have been tendered and marked 'X' for identification. The Affidavit shall be filed by the Defendants within a period of two weeks from today.

5. The matter shall be placed on 19th September, 2024 for consideration.

[R.I. CHAGLA J.]