



(T) OP (TM) Nos.101 & 102 of 2023 and (T) OP (TM) No.21 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2026

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

(T) OP (TM) Nos.101 & 102 of 2023

and

(T) OP (TM) No.21 of 2024

(T) OP (TM) Nos.101 & 102 of 2023

Sumit Nigam

.... Petitioner in both petitions

Vs.

1.Vertex Pharmaceuticals Incorporated,
130, Waverly Street, Cambridge,
Massachusetts – 02139, U.S.A

2.Registrar of Trademarks,
Trade Marks Registry,
Chennai – 32.

.... Respondents in both petitions

For Petitioner : Ms.S.Suba Shiny
[in both petitions]

For Respondents : Mr.K.Premchandar
[in both petitions] Ms.Pavithra [R1]

Mr.M.Karthikeyan,
Senior Panel Counsel [R2]

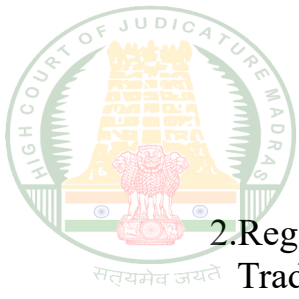
(T) OP (TM) No.21 of 2024

Vertex Pharmaceuticals Incorporated,
130, Waverly Street, Cambridge,
Massachusetts – 02139, U.S.A

.... Petitioner

Vs.

1. Sumit Nigam



(T) OP (TM) Nos.101 & 102 of 2023 and (T) OP (TM) No.21 of 2024

2.Registrar of Trademarks,
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.... Respondents

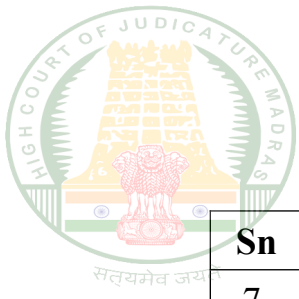
For Petitioner : Mr.K.Premchandar

For Respondents : Ms.S.Suba Shiny [R1]
Mr.M.Karthikeyan,
Senior Panel Counsel [R2]

COMMON ORDER

Pursuant to the earlier order passed on 08.01.2026, the Case Management Schedule was filed on behalf of the petitioner in (T) OP (TM) No.21 of 2024. The same is extracted hereunder:

Sn	DESCRIPTION	DATES
1.	Filing of all Proof Affidavits of Petitioner's Witness' (As per Order 18 Rule 4 (1-A) of the Code of Civil Procedure Code as amended by the Commercial Courts Act)	16 th March 2026
2.	Chief Examination of Petitioner Witness	30 th March to 1 st April 2026
3.	Cross Examination of Petitioner Witness	15 th to 17 th April 2026
4.	Filing of all Proof Affidavits of Respondent's Witness' (As per Order 18 Rule 4(1-A) of the Code of Civil Procedure Code as amended by the Commercial Courts Act)	2 nd June 2026
5.	Chief Examination of Respondent Witness	17 th to 19 th June 2026
6.	Cross Examination of Respondent Witness	24 th to 26 th June 2026



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Sn	DESCRIPTION	DATES
7.	Written Arguments to be filed by the Parties	29 th June 2026
8.	Oral Arguments to be advanced by the Parties	30 th June 2026

2. Learned counsel appearing on either side consented for appointment of an Advocate Commissioner for the purpose of recording evidence. Learned counsel appearing on either side submitted that an Advocate with not less than 20 years of standing can be appointed as an Advocate Commissioner to record evidence.

3. Learned counsel for petitioner in (T) OP (TM) No.21 of 2024 brought to the notice of this Court the Madras High Court Video-Conferencing in Courts Rules, 2020 and pointed out to Rule 3.3. Learned counsel requests this Court to dispense with this requirement under the Rules.

4. In the considered view of this Court, the Rules will apply only if the recording of evidence takes place in the Court. In the case in hand, this Court is appointing an Advocate Commissioner for the purpose of recording evidence. Therefore, it is not necessary to take note of the requirements under the Rules. The recording of evidence shall take place



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N.ANAND VENKATESH, J.

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in the presence of parties and the respective learned counsel and subject to the convenience of all.

In view of the above, Mr.K.Harishankar, 'Capitale' 9th Floor, No.554/555, Anna Salai, Teynampet, Chennai – 600 018 [Mobile No.98410 76561], is appointed as Advocate Commissioner and the Advocate Commissioner is directed to conduct a joint trial and record evidence. The trial shall be conducted in the Madras High Court Arbitration Centre (MHCAC) attached to this Court. This Court fixes an initial remuneration of Rs.1,50,000/- [Rupees One Lakh and Fifty Thousand only] payable to the Advocate Commissioner apart from the expenses incurred, which have to be separately paid by the parties. The remuneration and expenses shall be shared by both parties.

Post these petitions before the Court after completion of recording evidence.

22.01.2026

gm

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