



OP(CR)Nos.8,9 of 2024 & 1 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 13.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

OP(CR)Nos.8, 9 of 2024 & 1 of 2025
(CR)A.Nos.4 & 9 of 2024, 1 to 3 of 2025 &
C.S.No.110 of 2019 & O.A.No.113 of 2019

Auditbot Inc
11 Latour Lane Newark, New Castle Delaware, 19702, United States of
America, Rep by its Power Agent Mr. A.J Radhakrishnan.

.. Petitioner

vs.

Togglenow Software Solutions Private Limited
8-3-315/2, F 102, Kuteer Apartments, Maruthi Nagar, Hyderabad 540045,
Telangana, India Presently located at 1-98/9/3/20, 3rd Floor, Plot 49,
Shakthi Nilayam, Image Gardens Road, Silicon Valley Society,
Madhapur, Hyderabad 500081. and 4 Others

.. Respondents

For Petitioner:Mr.Navod Prasannan

For R1 to R4:Ms.N.Devi

For R5:Mr.J.Madhanagopal Rao, SPC

Ms.Vindhya S.Mani – Advocate Commissioner

ORDER

By order dated 12.12.2024, Ms.Vindhya S.Mani, Advocate, was
appointed as Advocate Commissioner and authorised to seek the

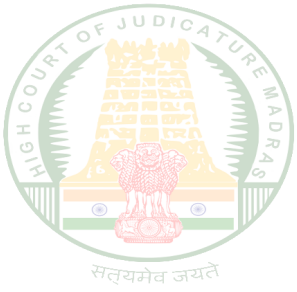


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assistance of an appropriate expert for comparing the source code, software, algorithms, GUI, artistic work and literary work of the 1st respondent in respect of their softwares: (i) VERITY under No.17887/2023 and (ii) OPTIMUS under No.17989/2023 with the applicant's software, namely, License Saver and Custom GRC Solution.

2.A preliminary report dated 13.02.2025 has been placed on record by learned Advocate Commissioner. In such report, it is stated that learned Advocate Commissioner was unable to identify an appropriate expert in IIT Madras, IIT Bombay and IIT Delhi. It is further stated that an independent expert, Lab Systems (I) Private Limited was identified. Learned Advocate Commissioner submits that the said independent expert would be in a position to execute the mandate specified in order dated 12.12.2024. Given the nature of exercise to be undertaken, learned Advocate Commissioner submits that proficiency in SAP may not be necessary.

3.Learned counsel for the petitioner in these petitions states that the independent expert suggested by learned Advocate Commissioner may be appointed.



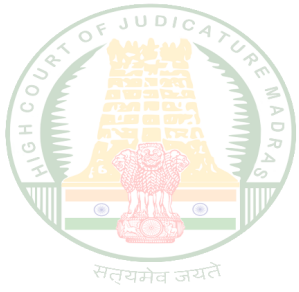
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4.Learned counsel for respondents 1 to 4 submits that the said

respondents have no specific objection to the independent expert, but would like to meet the expert to ascertain whether the expert has necessary qualifications.

5.In the preliminary report of the Advocate Commissioner, it is stated that Lab Systems (I) Private Limited would be in a position to analyse the source code of both parties and present the result of the forensic analysis. Therefore, it would be appropriate to engage the services of Lab Systems (I) Private Limited.

6.As directed in order dated 12.12.2024, the contesting parties are directed to extend complete co-operation to the Advocate Commissioner by submitting their respective source codes and providing requisite access to the softwares or their host. The independent expert shall independently ascertain whether the source codes handed over by the respective parties are indeed the source codes deployed in their SAP systems. The Advocate Commissioner is requested to obtain the fee proposal of the independent expert. As directed earlier, such fees shall be paid by the petitioner. Upon obtaining the report from the Lab Systems



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(I) Private Limited, the same shall be placed before this Court by the Advocate Commissioner.

7.List the matter on 27.03.2025.

13.02.2025

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