

IN THE HIGH COURT AT CALCUTTA
Intellectual Property Rights Division
ORIGINAL SIDE

IA NO. GA-COM/1/2025

In

IP-COM/52/2025

UACI SEEDS AND BIOTECH PRIVATE LIMITED

Vs

GG CORP SCIENCE

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 13th February, 2026

Appearance:

Mr. Prashant Phillips, Adv.

Ms. Joyita Ghosh, Adv.

...for the petitioner.

Mr. Shuvasish Sengupta, Adv.

Mr. Souvik Ghosh, Adv.

Mr. Arindam Maity, Adv.

...for the respondent.

The Court: This is an action for infringement of a registered plant variety under the Protection of Plant Varieties and Farmers' Rights Act, 2001 (PPV Act). The petitioner seeks urgent interim relief.

The principal grievance of the petitioner is directed against sale and distribution of a variety of rice, *i.e.*, GG-511 being sold by the respondent. The petitioner is a manufacturer and distributor of a similar product being 'SS 511' and submits that both products are identical. This fact is disputed by the respondent who submits that the products are not identical and their product is more in line of a product 'MTU 1153'.

Both parties have relied upon on scientific evidence to substantiate their respective claims.

Section 67 of the Act provides for the opinion of scientific adviser before the Court arrives at any conclusion.

In order to adjudicate upon this fact as to whether both the products are similar or not, a DNA Report is suggested for to *prima facie* establish the identity of the two products, *i.e.*, the registered product and the impugned product.

Both parties pray for an opportunity to take instructions as to the name and identity of a mutually acceptable entity to provide such Report.

In view of the above, let this matter appear on 16 February, 2026 for the limited purpose of the parties providing the name of an entity.

By consent of the parties, the requirement of service of Writ of Summons is dispensed with. Liberty is granted to the defendant to file their Written Statement within the prescribed time period.

(RAVI KRISHAN KAPUR, J.)