

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 : 16th February, 2026

Appearance:

Mr. Prashant Phillips, Adv.

Ms. Diya Mal, Adv.

...for the petitioner.

Mr. Shuvasish Sengupta, Adv.

Mr. A Maity, Adv.

Mr. S. Ghosh, Adv.

...for the respondent.

The Court: By an order dated 13 February, 2026, this matter was adjourned for both the parties to suggest an independent expert who could provide the DNA Report to examine the identity of the two products, *i.e.*, the registered product being SS 511 and the impugned product being GG-511.

In view of the names submitted on behalf of the parties, Surya Seed Lab/NSURYA Seed Lab, having their office at Hyderabad, is appointed to file a Report as to whether the two products, *i.e.*, the registered product and the impugned product are similar or not.

The Advocates on behalf of the petitioner are directed to inform the above named entity of the exercise to be carried out by them.

It is clarified that the above expert agency would also expressly answer whether:

- i) the number of markers tested is sufficient for reliable varietal comparison;*
- ii) the registered variety and the impugned variety are similar or distinct;*
- iii) If not distinguishable, whether they may be considered genetically identical on the basis of the markers assessed; and*
- iv) If distinguishable, clearly state whether the differences occur and at which marker.*

The above independent expert agency is also directed to conduct testing using not less than 101 SSR markers.

The expense for such Report would be borne at the first instance exclusively by the petitioner.

Let this matter appear on 23 March, 2026 for filing of the Report by the above entity.

(RAVI KRISHAN KAPUR, J.)