



\$~22

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(COMM) 233/2026**

PHILIPS MEDICAL SYSTEMS NETHERLAND BV & ANR.

.....Plaintiffs

Through: Ms. Hiral Gupta, Ms. Sneha Jaisingh,
Mr. Kaushik Moitra, Ms. Subhalaxmi
Sen and Ms. Swati Panda, Advocates.

versus

GEETECH MEDICAL SYSTEMS AND SERVICES & ORS.

.....Defendants

Through: Ms. Ameer Rana, Ms. Sana Banyal, Ms.
Komal Pathak and Ms. Bhavnish Kaur,
Advocates for D-10/Meta.
Ms. Manisha Agrawal Narain, CGSC
with Mr. Nipun Jain, Advocates DoT &
MEITY.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

%

13.03.2026

I.A. 6391/2026 (Pre-Institution Mediation)

1. This is an application filed by the plaintiffs seeking exemption from instituting pre-litigation Mediation under Section 12A of the Commercial Courts Act, 2015 ('CC Act').
2. As the present matter contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar vs. T.K.D. Keerthi: (2024) 5 SCC 815*, exemption from the requirement of pre-institution Mediation is granted.
3. The application stands disposed of.



I.A. 6392/2026 (Exemption from serving notice to Defendant no.8)

4. This is an application under Section 80(2) of the Code of Civil Procedure, 1908 ('CPC') filed on behalf of the plaintiffs seeking exemption from serving notice under Section 80 of the CPC to defendant no.8.

5. For the reasons stated therein, the same is allowed. The plaintiffs are exempted from issuing notice to the defendant no.8 at this stage.

6. The application stands disposed of.

I.A. 6393/2026 (Additional Documents)

7. The present application has been filed on behalf of the plaintiffs under Order XI Rule 1(4) of the CPC as applicable to commercial suits under the CC Act seeking leave to place on record additional documents.

8. The plaintiffs are permitted to file additional documents in accordance with the provisions of the CC Act and the Delhi High Court (Original Side) Rules, 2018.

9. Accordingly, the application stands disposed of.

I.A. 6394/2026 (Seeking leave to file documents in USB Drive)

10. This is an application filed under Section 151 of the CPC, filed on behalf of plaintiffs seeking leave to file documents in USB Drive.

11. In facts and circumstances as stated in the application, the same is allowed. The CD / pen drive be taken on record.

12. Accordingly, the application stands disposed of.

I.A. 6395/2026 (Seeking extension of time to file Court Fees)

13. The present application has been filed by the plaintiffs under Section 149 read with Section 151 of CPC, seeking extension of time to file the requisite Court Fees at the time of the filing of the suit.

14. Considering the submissions made in the present application, an extension of two weeks is granted to affix the requisite court fees.

15. The application stands disposed of.



I.A. 6396/2026 (Seeking leave to sue defendant to claim further damages)

16. This is an application filed on behalf of the plaintiffs under Order II Rule 2(3) read with Section 151 of the CPC seeking leave to sue the defendants to claim any further damages.

17. For the reasons stated therein, the application is allowed and plaintiffs are permitted to sue the defendants to claim any further damages.

18. The application stands disposed of.

I.A. 6397/2026 (Exemption from advance service to D-2 to D-5 & 11)

19. This is an application filed by the plaintiff under Section 151 of CPC seeking exemption from advance service to the defendant.

20. Ms. Hiral Gupta, learned counsel for the plaintiff submits that given the clandestine and illegal nature of the contesting defendants' operations, the plaintiffs have reasonable grounds to believe that there may be a larger group of individuals / entities which are involved in these illegal activities, details of whom are not available with the plaintiffs at present and who are impleaded as defendant no. 11, the plaintiffs may be exempted from issuing advance service to defendant nos.2 to 5 and 11.

21. In view of the aforesaid, the application is allowed. Plaintiffs are exempted from issuing advance notice to the defendant nos. 2 to 5 and 11 at this stage.

22. The application is disposed of.

I.A. 6390/2026 (Order XXXIX Rules 1& 2, CPC)

23. Present application has been filed on behalf of the plaintiffs under Order XXXIX Rules 1 & 2 of CPC, 1908, seeking *ex-parte ad-interim* injunction against the defendants.

24. The plaintiffs are part of Koninklijke Phillips Group, a Dutch multinational Conglomerate and a global leader in health technology. The parent company is stated to have been incorporated in the year 1891 under the



laws of the Netherlands. Plaintiff no.1 manufactures medical instruments and apparatus and was founded in 1987 and specialises in areas like interventional guided therapy, cardiovascular care and magnetic resonance imaging. Plaintiff no.2 is the company incorporated under the Companies Act, 1956 and primarily focuses on healthcare system and personal healthcare, importing, distributing and servicing products like diagnostics imaging equipment.

25. Plaintiffs claim to have gained global recognition for developing dynamic technology solutions for the evolving healthcare needs and are recognised industry leaders. Numerous prestigious awards have been conferred upon the plaintiffs as mentioned in para 7 of the application. Plaintiffs develop, sell, support, maintain and service medical imaging systems, including computed tomography (CT) systems, x-ray systems, nuclear medical systems, PET scanners, MR scanners and Ultrasound machines. The said products are controlled through the proprietary software created and developed by the plaintiffs, who have their intellectual property rights built in.

26. Plaintiffs claim that their diagnostic system and the copyrighted software is a preferred choice for hospitals, medical centres, healthcare institutions in India and over 100 countries around the world. Some of such institutions have collaborated and partnered with the plaintiffs for research and development and are mentioned in para 9 of the application. The Phillips Group IP portfolio currently consists of approximately 50,500 patent rights, 30,500 trademarks, 150,000 design rights and 3,200 domain names. Plaintiffs claim that the European Patent Office has named it as one of the leaders in medical technology. Plaintiffs assert that it is a trusted producer, manufacturer and supplier of medical imaging systems worldwide, garnering substantial goodwill under the 'Phillips' trademark. The said trademark has been enlisted as a well-known trademark after being recognised by the Punjab & Haryana



High Court in Banga *Watch Company, Chandigarh vs. N.V. Phillips: 1983 SCC OnLine P&H 330.*

27. Plaintiffs claim that the proprietary software is developed and owned by the plaintiffs, which control key functions of the medical diagnostic system and enables the plaintiffs to control, update and track the use of their system's software. The proprietary and copyrighted software embedded within plaintiffs' system including restricted components that cannot be accessed or utilised by the users or purchasers of the system. Plaintiffs also claim to have developed extensive proprietary technologies, know-how, documentation and software for servicing the diagnostic system. It claims that even access to this proprietary software is restricted to a certain level. In order to provide a comprehensive customer service and maintenance support system to the diagnostic system, the plaintiffs have developed an extensive proprietary system, documentation and software collectively known as Customer Service Intellectual Property (CSIP), which is critical for managing, servicing, updating and monitoring those systems.

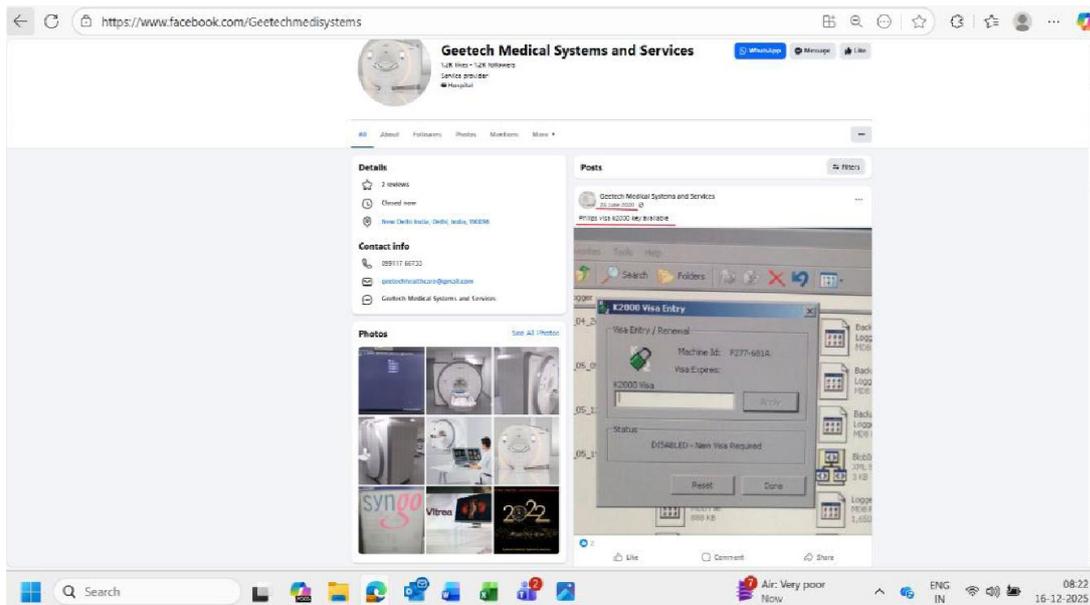
28. The aforesaid software and documentation are developed and owned by the plaintiffs and represent years of research, development and technical innovation. The access to the CSIP is restricted through technical control, contractual obligation and internal security measures. The employees, service providers and trade partners are required to execute non-disclosure agreements and adhere to the need – to – know restrictions. This proprietary software and servicing material are ordinarily licensed, not sold. In India, the access to restricted portions of CSIP is not available to the customers and the said support is for a fee either directly or through their authorised trade partners. To supplement these restrictions, plaintiffs implemented a digital rights management solution called Integrated Security Tool (IST), developed, created and exclusively owned by Phillips Group. The manner in which this



IST functions is detailed in para 41 of the present application.

29. The aforesaid software, CSIP material, the instructions manual, the IST applications and certificates are stated to be covered under the definition of “Literary Work” and are entitled to copyright protection. Such materials embedded or incorporated in the diagnostic system also comprise trade secrets and other commercially sensitive confidential information. In order to protect its interest, the plaintiffs monitor real time threat and analysis risk to the security and confidentiality of the aforesaid intellectual property.

30. The infringing and illicit activity of defendant no.1 is mentioned in para 47 of the application. Some of such screen shots of the defendant no.1 infraction and infringement are reproduced hereunder





https://www.facebook.com/Geetechmedisystems

Geetech Medical Systems and Services
1.2K likes • 1.2K followers
Service provider
Hospital

Details
2 reviews
Closed now
New Delhi India, Delhi, India, 110006

Contact info
099117 56753
geetechhealthcare@gmail.com
Geetech Medical Systems and Services

Photos
See All Photos

Posts
Geetech Medical Systems and Services
27 June 2025
Philips Web Key Available
Medical devices like Philips CT K2000 CT scanners, have an internal service code that is not available without a special access code, the service code.
It is often impossible to access service codes due to the age of the medical equipment and the complete lack of appropriate technical support.
generator is able to generate service code for the following models of CT scanners:
Philips K2000
Philips MX8000 EXP
Philips Precedence 6
Philips Brilliance 6,10,16,64 CT
are also able to create a generator for a model that is not listed.

https://www.pinterest.com/geetech/saved

Search for easy dinners, fashion, etc.

Log in Sign up

Geetech Healthcare
geetechh

Follow

Created Saved

geetechh hasn't saved any Pins yet

More ideas from Geetech Healthcare

https://www.facebook.com/Geetechmedisystems/posts/pfbid0nhEG6KXnHHBDy5799rWw1kgD84aFusKyCKHzc8zcMz2gAU4QJCU...

Geetech Medical Systems and Services post
27 May 2025

Due to gradual reduction in availability to service Philips and Siemens Equipment, please check below USD Philips Reader (USD Device).
The USD Philips Device is composed of two parts: A Reader and a Smart Card. Our solution has all features enabled and ready for use at December, 31, 2025. It is available through the options below:

- 01 - Smart Card: This is the only option Smart Card. If you already have a Philips Reader, and perform the exchange of your old Smart Card with the new Smart Card.
Price: \$2
- 02 - Philips Reader and Smart Card for use on any Philips Equipment (Including C-arms): Not supported by the USD Philips Reader and the Smart Card. Due to the model of the Reader, this set can be used only on C-arms equipment.
Price: \$5
- 03 - Philips Reader and Smart Card for use on any Philips Equipment (Including C-arms): Not supported by the USD Philips Reader and the Smart Card. Price on any Philips Equipment that requires a US Device (except the equipment that requires two US Devices, or others).
Price: \$5

We can offer reader/printer for sale by separate.
We offer several other services for Philips, Siemens, GE, Toshiba, Hitachi and other brands, like Philips K2000, Laser Code and Biometric Service Keys. Please contact us about any possible options of additional services.

Most relevant
Tarek Al-Jarrah
Hello! I have a Philips CT scanner. I need a generator for it. Can you help me with that?
100% - Reply

Mohamed Mohamed
Hello! I have a Philips CT scanner. I need a generator for it. Can you help me with that?
100% - Reply



31. Plaintiffs have been given to understand that defendant no.1 has been indulging in counterfeiting of the various proprietary softwares and documents including the IST certificates issued by it. Third party investigation carried out in the month of March, 2023 revealed infractions, which are detailed in para 49 of the application. The investigator also made an initial purchase of the IST certificate for Rs.4,11,151/- and further purchased for Rs.2,49,592/- of such certificates from defendant no.1. The details of such delivery contained in the packages in June, 2023 are detailed in para 53 and 54 of the application. On instructions of the defendant no.1 various branches of payments were made to defendant no.2, defendant no.3 as detailed in para 57 of the application. The said certificates which were delivered on smart cards turned out to be counterfeit on testing and carrying out analysis. The details of counterfeit IST certificates are mentioned in para 60 of the application. Plaintiffs assert and affirm that these certificates are neither originated from the plaintiffs nor complied with their authorised accessed protocol and reveal other indicia which are detailed in para 61 of the application.

32. Further investigations from defendant no.1 reveal cross border piracy, which are clearly detailed in para 63 to 66 of the application. The representative screen shot of the counterfeit IST certificates alongwith their entitlements is reproduced hereunder:



IST ENTITLEMENTS SUMMARY
Date: 07/06/23

DeviceId: 2582582
UserName: Philips Engineer
UserId: 87654
Company: Philips Partner System
Expires: Dec 31, 2030 01:56:21

DOCUMENT ENTITLEMENTS:	
(Any) Modality Tools	- Level: 2
MR Response Generator	- Level: 2
Customer Service	- Level: 2
General	- Level: 2
Training	- Level: 2
Patient Monitoring	- Level: 2
Diagnostic ECG	- Level: 2
Defibrillators	- Level: 2
Surgery	- Level: 2
X-Ray Tubes	- Level: 2
X-Ray Generators	- Level: 2
URF	- Level: 2
Radiography	- Level: 2
Cardio Vascular	- Level: 2
Healthcare IT	- Level: 2
Ultrasound	- Level: 2
Nuclear Medicine	- Level: 2
Magnetic Resonance	- Level: 2
Computed Tomography	- Level: 2

IST ENTITLEMENTS SUMMARY
Date: 05/11/23

DeviceId: 2533083
UserName: Geetech
UserId: 71440
Company: Geetech
Expires: May 11, 2060 20:33:40

DOCUMENT ENTITLEMENTS:	
(Any) Computed Tomography	- Level: 3
<u>AcOSim</u>	- Level: 3
<u>AcOSim</u> CT	- Level: 3
AURA	- Level: 3
Brilliance CT 16/10/6 (water)	- Level: 3
Brilliance 16 Power	- Level: 3
CX/CX-S	- Level: 3
CX-Q	- Level: 3
MX8000	- Level: 3
MX8000 Dual v. EXP	- Level: 3
MX8000 IDT	- Level: 3
<u>MXTwin</u>	- Level: 3
(Any) Magnetic Resonance	- Level: 3
<u>Intera</u>	- Level: 3
<u>Intera</u> Achieva	- Level: 3
Panorama 0.23T	- Level: 3
Panorama 0.6T	- Level: 3
Panorama 1.0T	- Level: 3
(Any) Nuclear Medicine	- Level: 3
Forte	- Level: 3
Gemini	- Level: 3

33. Plaintiff submits that this Court passed interim orders in similarly placed cases as mentioned in para 71 of the application. The aforesaid facts,



according to the plaintiffs, constitute not only copyright infringement but also amounts to misappropriation of the plaintiffs' confidential information, processes, technologies and trade secrets developed to protect its CSIP. Plaintiffs also assert that these illicit activities also pose serious risk to public health and safety by potentially disrupting normal functionality of the plaintiffs' system. Such counterfeit IST certificates may lead to degraded image quality or diagnostic inaccuracies which may compromise a patient's safety. Thus, such illicit acts infringe the copyrights of the plaintiffs.

34. Predicated upon the above, the plaintiffs seek an *ex-parte ad-interim* injunction and other reliefs.

35. Having heard Ms. Hiral Gupta, learned counsel for the plaintiffs, perusing the pleadings and the documents on record, it appears that an *ex-parte ad-interim* injunction would be in order. The plaintiffs have made out a strong *prima facie* case in their favour. The plaintiffs appears to be the owners of the proprietary software, CSIP materials, IST certificates and associated intellectual property, all of which constitute "Literary Works" protected under the Copyright Act, 1957. The defendant no.1 appears to be engaged in the systematic counterfeiting and unauthorized reproduction of plaintiffs' IST certificates and proprietary service documentation, as evidenced by the third party integration conducted in March, 2023, the test purchases therefrom, and the forensic analysis confirming the counterfeit nature of the said certificates. The balance of convenience also lies in the favour of the plaintiffs, as permitting the defendants to continue with the infringing activities would cause irreparable harm and injury to the plaintiffs' intellectual property rights, commercial reputation and goodwill, which cannot be adequately compensated in monetary terms.

36. Accordingly, the following directions are passed:

- a. Defendant No. 1, operating through defendant no. 2, defendant no. 3,



defendant no. 4 and defendant no. 5 (and such other individuals/entities which are discovered during the course of the proceedings to have been engaging in infringing the plaintiffs' exclusive rights) including unidentified, partially identified defendants, their proprietors, promoters, directors, partners, assigns, sister concern, affiliates, relatives, successors-in-interest, licensees, franchisees, representatives, servants, distributors, employees, agents etc. or anyone associated with them are restrained from infringing or dealing with, in any manner, the plaintiffs' intellectual property rights, including but not limited to copyright, trademark, in the proprietary software used, and, or installed in, its medical imaging devices by making counterfeit replicas, creating unauthorised copies of plaintiffs' authentic and genuine proprietary software, by offering for sale, selling and / or distributing such counterfeit or unauthorised copies of the plaintiffs' proprietary software through any and all mediums.

- b. Defendant No. 1, operating through defendant no. 2, defendant no. 3, defendant no. 4 and defendant no. 5 (and such other individuals/entities which are discovered during the course of the proceedings to have been engaging in infringing the plaintiffs' exclusive rights) including unidentified, partially identified defendants, their proprietors, promoters, directors, partners, assigns, sister concern, affiliates, relatives, successors-in-interest, licensees, franchisees, representatives, servants, distributors, employees, agents etc. or anyone associated with them are restrained from infringing or dealing with, in any manner, the plaintiffs' intellectual property rights, including but not limited to copyright, trademark, in the proprietary software used, and, or installed in, its medical imaging devices by circumventing or enabling or encouraging third parties to circumvent, the technological measures or



digital rights management mechanisms designed to protect the plaintiffs' intellectual property to gain unauthorised access to the plaintiffs' proprietary software and make unauthorised modifications to the proprietary software of the plaintiffs.

- c. Defendant nos. 6 to 8 are directed to furnish the details including the user details for the contact numbers +91 91 9911766733 and +91 7625055656 to the plaintiffs within three weeks from date.
- d. Defendant no.9 is directed to disclose all details, including the account holder details, associated with the Bank Account Nos.50100204721555 and 50100094550855 to plaintiffs within three weeks from date.
- e. Defendant no.10 is directed to take down the Facebook Account under the name "Geetech Medical Systems and Services", created by defendant no. 1 within 72 hours.
- f. The statement of accounts for the profits made by defendant nos.1 to 5 be filed in a sealed cover by way of an affidavit and are directed to maintain *status quo*.

37. Plaintiffs are permitted to file an affidavit before the Joint Registrar to implead any more websites or webpages under Order I Rule 10 of CPC in the event they merely provide new means of accessing the web listings of defendant no.1 distributing or offering for sale of the counterfeit products which are sought to be enjoined by way of the present suit.

38. Plaintiffs are at liberty to seek extension of injunction orders against the third parties once impleaded.

39. Issue notice.

40. Let a reply to this application be filed by the defendant within four weeks from service. Rejoinder, thereto, if any, be filed within two weeks thereafter.

41. Compliance of Order XXXIX Rule 3 of CPC shall be done within ten



days from date.

CS(COMM) 233/2026

42. Let the plaint be registered as a suit.

43. Upon filing of the process fee, issue summons of the suit to the defendant through all permissible modes.

44. The summons shall state that the Written Statement shall be filed by the defendant within 30 days from the date of the receipt of summons. Alongwith the Written Statement, the defendant shall also file Affidavit of Admission/Denial of the documents of the plaintiff, without which the Written Statement shall not be taken on record.

45. Liberty is granted to the plaintiff to file Replication, if any, within 30 days from the receipt of the Written Statement. Along with the Replication filed by the plaintiff, an Affidavit of Admission/Denial of the documents of defendant be filed by the plaintiff, without which the Replication shall not be taken on record.

46. In case any party is placing reliance on a document, which is not in their power and possession, its details and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

47. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the prescribed timelines.

48. List before the Joint Registrar (Judicial) on 14.05.2026 for completion of service and pleadings.

49. List before the Court on 14.09.2026.

TUSHAR RAO GEDELA, J

MARCH 13, 2026

rl/kct