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

+ **CS(COMM) 530/2026 & I.As. 14153/2026, 14154/2026**

**EMCURE PHARMACEUTICALS LIMITED** .....Plaintiff

Through: Ms. Archana Sahadeva, Ms. Shiwangi Singh, Ms. Monisha Mane Bhangale, Ms. Bijal Vora, Ms. Amishi Sodani, Ms. Kavish Arora, Mr. Pranav Sarthi, Mr. Ayush Raj, Ms. Prachi Dhingra, Mr. Udit Bajpai and Mr. Utkarsh Vatsa, Advocates.

versus

**ORSIM PHARMA & ORS.** .....Defendants

Through: Ms. P. Subha, D-2 in person.  
Mr. Jayakumar D., Manager, Nanocut Therapeutics Pvt. Ltd. for D-3.

**CORAM:  
HON'BLE MS. JUSTICE JYOTI SINGH**

**ORDER**  
**29.05.2026**

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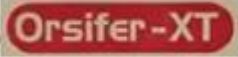


1. This suit is instituted by the Plaintiff seeking *inter alia* decree of permanent injunction restraining the Defendants and all others acting on their behalf from manufacturing, selling, distributing, offering for sale, advertising or promoting impugned products under impugned trade dress





and/or any trade dress  
identical/deceptively similar to Plaintiff's trade dress



and/or under the impugned trademarks

ORSIFER-XT/  and/or any other trademark(s) identical or deceptively similar to Plaintiff's trademarks OROFER/  /OROFER-XT/ , thereby resulting in infringement of Plaintiff's registered trademark OROFER and/or passing off.

2. Ms. P. Subha/Defendant No.2, one of the partners has joined Court proceedings through video conferencing and submits that Defendants No. 1 and 2 have given up use of the impugned marks/trade dress and undertakes that they shall not use the impugned marks/trade dress and/or any other mark/trade dress identical/deceptively similar to Plaintiff's trade dress/marks OROFER/  /OROFER-XT/ , in future and are willing to suffer permanent injunction. She also states that there is no existing stock of packaging material bearing the impugned trademarks/trade dress since the product was never launched in the market. Statement and undertaking is taken on record and accepted.

3. Mr. Jayakumar D., working as Manager in Defendant No. 3 has also joined virtually and on authorization makes a statement that Defendant No.3 has stopped manufacturing the impugned product using the impugned marks/trade dress and undertakes not to manufacture infringing products in future.

4. Learned counsel for the Plaintiff submits that since Defendants are



willing to suffer an injunction, Plaintiff gives up the other reliefs sought in the suit and seeks refund of court fees.

5. Accordingly, suit is decreed in favour of the Plaintiff and against the Defendants in terms of paragraphs 65(a) to (d) of the plaint and Defendants are permanently restrained from using the impugned marks/trade dress and/or any other mark(s)/trade dress identical/deceptively similar to Plaintiff's marks/trade dress, as aforementioned.

6. Affidavits of undertakings shall be filed by the Defendants within four weeks from today with advance copies to the counsel for the Plaintiff.

7. Registry is directed to draw up the decree sheet.

8. Suit stands disposed of along with pending applications.

9. Plaintiff is held entitled to refund of entire Court fees in accordance with Court Fees Act, 1870.

**JYOTI SINGH, J**

**MAY 29, 2026/YA/RW**