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

+ CS(COMM) 569/2024

QUALCOMM INCORPORATED

.....Plaintiff

Through: Mr. Chander M. Lall, Sr. Adv. with
Mr. Abhinav Agarwal, Ms. Nancy
Roy, Mr. Abhimanyu Chauhan, Ms.
Ananya Chug and Ms. Aastha Kakkar,
Advocates with AR of the plaintiff

versus

SHENZHEN TRANSSION HOLDINGS CO., LTD. & ORS.

.....Defendants

Through: Mr. Saikrishna Rajagopal, Ms. Julien
George, Ms. Anu Paarcha, Mr. Arjun
Gadhoke, Ms. Subhoshree Sil, Mr.
Aniruddh Bhatia, Mr. Avijit Kumar
and Ms. N. Parvati, Advocates

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

12.07.2024

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I.A. 33108/2024-Exp

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

**I.A. 33103/2024-Exp (pre-institution mediation under Section 12A of the
Commercial Courts Act, 2015)**

3. Issue notice.
4. Learned counsel for the defendants accepts notice. He opposes the



grant of exemption sought by way of the present application and in fact, seeks a period of eight weeks for filing a reply.

5. Learned senior counsel appearing for the plaintiff, at this stage submits that he does not have any objection in case the defendants are granted six weeks for filing its reply instead of the aforesaid period of four weeks.

6. Accordingly, let the defendants are granted six weeks for filing a reply. Rejoinder thereto, if any, be filed within two weeks thereafter.

7. List on 06.11.2024.

I.A. 33101/2024 (seeking injunction under Order XXXIX, Rule 1 & 2 of the CPC)

8. Issue notice.

9. Learned counsel accepts notice on behalf of the defendants. He seeks, and is granted, four weeks to file a reply. Rejoinder, if any, be filed within two weeks thereafter.

10. Learned (senior) counsel for the parties seek, and are granted four weeks for filing their respective written synopsis not exceeding six pages giving a chronological list of dates and events and relevant documents, if any, alongwith duly highlighted relevant judgments.

11. List on 06.11.2024.

I.A. 33107/2024-Seeking constitution of a confidentiality club

12. Issue notice.

13. Learned counsel for the defendants accepts notice.

14. Learned senior counsel for the plaintiff at this stage submits that the plaintiff is willing to give access of the confidential data to the defendants'



attorneys and their external experts, as and when their names are shared with the learned counsel for the plaintiff by the defendants.

15. List on 06.11.2024.

CS(COMM) 569/2024, I.A. 33102/2024-Addl. Doc, I.A. 33104/2024-permission to file infringing mobile handsets in trunks, I.A. 33105/2024-permission to make additional claims or pray for additional reliefs, I.A. 33106/2024-Exp, I.A. 33109/2024-Exp. from filing apostilled documents.

16. Let the plaint be registered as a suit.

17. Upon filing of process fee, issue summons to the defendants by all permissible modes. Summons shall state that the written statement(s) be filed by the defendants within 30 days from the date of receipt of summons. Along with the written statement(s), the defendants shall also file affidavit(s) of admission/denial of the documents of the plaintiff, without which the written statement shall not be taken on record. Seeing the peculiarity of the present suit, the defendants in the written statement shall specifically give and enumerate details regarding the usage, if any, of any of the four patents of the plaintiff involved in this present suit by them.

18. Liberty is given to the plaintiff to file a replication within two weeks of the receipt of the written statement(s). Along with the replication, if any, filed by the plaintiff, affidavit(s) of admission/denial of documents filed by the defendants, be filed by the plaintiff, without which the replication(s) shall not be taken on record. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

19. List before the Joint Registrar for marking of exhibits on 24.09.2024.



20. List before this Court on 06.11.2024.

21. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.

SAURABH BANERJEE, J

JULY 12, 2024/So