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

+ CS(COMM) 107/2017 & IA No.1860/2017 (u/O XXXIX R-1&2  
CPC)

BAYER INTELLECTUAL PROPERTY GMBH ..... Plaintiff  
Through: Mr. Pravin Anand, Mr. Aditya Gupta  
and Mr. Utkarsh Srivastava, Advs.

Versus

BDR PHARMACEUTICALS INTERNATIONAL PVT. LTD  
& ANR ..... Defendants  
Through: Ms. Rajeshwari H., Mr. Andrea and  
Mr. Tahir A.J., Advs.

**CORAM:**

**HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW**

**ORDER**

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**16.02.2017**

1. The counsel for the plaintiff in pursuance to the order dated 14<sup>th</sup> February, 2017 states that the statement earlier made by the counsel for the defendants of the defendants having not launched the product in India and of the defendants having not made non-Section 107A Patent Act, 1970 exports to Egypt since the year 2012, may be recorded and as far as the question of royalty for future exports is concerned, the matter may be referred for quick mediation of two weeks by a senior mediator to the Mediation Centre of this Court.

2. The counsel for the defendants states that the entire dispute be referred to such mediation because only one year is left of the life of the patent.

3. The parties are referred to the Mediation Cell of this Court and to appear before the Mediation Cell of this Court tomorrow i.e. 17<sup>th</sup> February, 2017 at 1415 hours.
4. Mr. Sudhanshu Batra, Honorary Secretary of the Mediation Cell of this Court is requested to personally look into the matter and to appoint a senior mediator to fulfil the desire for a quick mediation if any within two weeks.
5. List on 8<sup>th</sup> March, 2017.

**RAJIV SAHAI ENDLAW, J.**

**FEBRUARY 16, 2017**

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