



\$~28 & 29

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CS(COMM) 162/2022 & I.A. 14211/2023**

**NOKIA TECHNOLOGIES OY** ..... Plaintiff

Through: Mr. Pravin Anand, Ms. Vaishali Mittal, Mr. Siddhant Chamola, Mr. Rohin Koolwal, Ms. Shraddha Singh Chauhan and Ms. Pallavi Bhatnagar, Advocates.

versus

**VIVO MOBILE COMMUNICATION CO., LTD**  
& ORS.

... Defendants

Through: Mr. Saikrishna Rajagopal, Ms. Julien George, Ms. Anu Paarcha, Mr. Arjun Gadhoke, Mr. Avijit Kumar, Mr. Vivek Ayyagari, Ms. Subhashree Sil, Mr. Aniruddh Bhatia, Ms. Charu Miglani, Ms. Stuti Dhyani, Ms. Prachi Sharma and Mr. Nitesh, Advocates for D-1 to 3 (M: 9953781225).

29

+

**WITH**  
**CS(COMM) 171/2022 & I.A. 14210/2023**  
**NOKIA TECHNOLOGIES OY** ..... Plaintiff

Through: Mr. Pravin Anand, Ms. Vaishali Mittal, Mr. Siddhant Chamola, Mr. Rohin Koolwal, Ms. Shraddha Singh Chauhan and Ms. Pallavi Bhatnagar, Advocates.

versus

**VIVO MOBILE COMMUNICATION CO. LTD.**  
& ORS.

.... Defendants

Through: Mr. Saikrishna Rajagopal, Ms. Julien George, Ms. Anu Paarcha, Mr. Arjun Gadhoke, Mr. Avijit Kumar, Mr. Vivek Ayyagari, Ms. Subhashree Sil, Mr. Aniruddh Bhatia, Ms. Charu Miglani, Ms. Stuti Dhyani, Ms. Prachi Sharma and Mr. Nitesh, Advocates



(M: 9953781225) for D-1 to 3.

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**O R D E R**

**% 06.09.2023**

1. This hearing has been done through hybrid mode.

**CS(COMM) 162/2022 & I.A. 14211/2023**

**CS(COMM) 171/2022 & I.A. 14210/2023**

2. In these two suits, a total of four patents have been asserted which are as under:

- IN300066 (SEP)
- IN269929 (SEP)
- IN321300 (SEP)
- IN259932 (Non-SEP)

3. Out of the above four patents, three are SEPs and one is a non-SEP. Submissions have been addressed only in respect of two of the patents being IN259932 and IN300066. These two patents have also been asserted in the *CS(COMM) 303/2021 & CS(COMM) 304/2021* matters where the 1d. Division Bench has directed a *pro tem* measure which has also been upheld by the Supreme Court and the deposit has been made by the Defendants in the said suits.

4. Since the patents asserted are the same, let 1d. Counsel for the Defendants seek time to seek instructions as to whether Defendants are willing to deposit the last paid amount in terms of the previous license which was executed with Nokia which expired on 31st December, 2021 and whether the India component can be deposited in this Court.

5. In view of the order passed today, in the present suit as also in



**CS(COMM) 303/2021 & CS(COMM) 304/2021**, the judgment in the interim injunction application shall not be treated as reserved at this stage and is de-reserved.

6. List on 6<sup>th</sup> October, 2023.

**PRATHIBA M. SINGH, J**

**SEPTEMBER 6, 2023**

*Rahul/sk*