

Delhi High Court dismisses injunction by Life Tech Corp

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New Delhi: The High Court of Delhi vide its order on an application seeking injunction filed by Life Technologies Corporation (LTC), US (formerly Invitrogen Corporation), against Life Technologies India Private Ltd (LTIPL) from using the trademarks Life Technologies and Life Tech, as well as domains Lifetechindia.com, Lifetechnologiesindia.co.in, LifetechnologiesIndia.Com, Gibcoblindia.com and Invitrogenindia.com was dismissed by dated January 29, 2014. [Click here](#) to download the Delhi High Court Order.

LTIPL is an Indian company promoted by Mr Rajan Sahni and was established in 2002. According to Mr Sahni, Invitrogen sold out 100 percent shareholding of its Indian arm ATZ Lab Solutions India Private Limited (ATZ Labs) to LTIPL in December 2002. ATZ Labs (formerly Invitrogen India Pvt Ltd and GIBCOBRL India Pvt Ltd) was sold out to LTIPL.

Invitrogen Corporation, US, merged with ABI and changed its name to LTC upon merger in November 2008. After merger it filed two cases in 2010 and 2011 respectively against ATZ Labs before National Arbitration Forum, US (NAF), for transfer of domains (gibcoblindia.com and invitrogenindia.com) that were dismissed at NAF. After dismissal of the two petitions at the NAF, LTC then approached LTIPL in Apr 2011 so as to acquire/seek license to use the intellectual property of LTIPL namely Life Technologies, lifetechindia.com, gibcoblindia.com, and invitrogenindia.com duly admitting and acknowledging that the above brand names and related domains were the assets of LTIPL.

After being declined by LTIPL, LTC then approached the High Court of Delhi for a prohibitory injunction against LTIPL and ATZ Labs from using the name Life Technologies, Life Tech, lifetechindia.com, lifetechnologiesIndia.com, lifetechindia.co.in, lifetechnologiesindia.co.in, as well as gibcoblindia.com and invitrogenindia.com.

After nearly 20 months of hearing, the High Court of Delhi has dismissed LTC's application thereby vacating its earlier ex-parte ad-interim injunction. The High Court observed that the litigation commenced only after LTC had lost before NAF for taking another chance to somehow or the other get back the suit marks, domain names etc. from the defendants over which Invitrogen Corporation itself had been left with no rights much before the re-incorporation/resurrection of plaintiff no.1 (LTC) in the year 2008. The High Court has further held that LTC themselves have accepted the position that the suit trademarks etc. stood vested in ATZ Labs/LTIPL.

The court, however, clarified that nothing observed by it is a final opinion of it on the merits of any disputes between the two organizations. And the application was disposed of only on a prima facie view of the matter.

Invitrogen Corporation, the US based company that had changed its name to Life Technologies Corporation (LTC) in November 2008 has been acquired by Thermo Fisher Scientific Inc., USA. Thermo Fisher Scientific, the world leader in supplier, on February 4, 2014 announced that it has completed its acquisition of LTC for \$76.13 in cash per fully diluted common share, or approximately \$13.6 billion, plus the assumption of \$1.5 billion in net debt. The completion of the transaction follows the receipt of all required regulatory approvals.