



# 2<sup>ND</sup> ANNUAL NLU ANTI TRUST MOOT COURT COMPETITION, 2011

In association with:

LAKSHMIKUMARAN & SRIDHARAN  
AND  
THE COMPETITION COMMISSION OF INDIA

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CLARIFICATIONS AND AMENDMENTS TO THE PROPOSITION

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## AMENDMENTS TO THE PROPOSITION

1. The last sentence of Paragraph 3 of the Proposition has been amended to be read as:

Cheat'em [~~deleted- "Pharma"~~] India Pvt. Ltd. was set up in India with this business plan and similar subsidiaries existed in Australia and Bangladesh as well.

2. The relevant part of Paragraph 14 of the Proposition has been amended to be read as:

Similar to how it otherwise operated, Cheat'em, through the relevant local subsidiary, picked certain exclusive distributors in each of its markets and entered into distributorship agreements with them based on the relevant price applicable. For instance, Cheat'em entered into an agreement with X, in which clause 1 declared X to be the exclusive distributor in India for distributing Pantadone [~~deleted- "Within B"~~].

## CLARIFICATIONS TO THE PROPOSITION

1. The patent application for Pantadone filed in Bangladesh is impending.
2. The only question that has been disposed off by the bench is that mentioned in paragraph 26 of the Proposition.

Note: Questions not answered in the Clarifications have been deliberately ignored as they are either irrelevant/already answered in the Proposition or are substantive questions to which the participants have the find the answers.