

Date: 4th October, 2016

Mr Jiten Patel
Assistant Manager-Listing Compliance
National Stock Exchange of India Limited (NSE)
Exchange Plaza,
Bandra Kurla Complex.
Bandra (East),
Mumbai-400 051

Dear Sir:

This has reference to your e-mail dated 3rd October 2016 asking us to provide clarification to the news item of October 03, 2016 appearing in The Economic Times, titled "India, US companies to fight in Supreme Court over Exide trademark".

In this connection, we have been made to understand from our legal counsel that, on 30th September 2016, the Hon'ble Supreme Court while hearing the "Special Leave Petition" filed by 'Exide Industries Limited' (hereinafter referred as 'the Company') has granted an interim stay order in favour of the Company and has restrained 'Exide Technologies', a US based company (hereinafter referred as 'US Company') to use the name and / or mark "EXIDE" whether directly or indirectly, in any manner in India. The formal order of the Supreme Court is awaited.

The Brief background of the case is given below:

- 1) The Company is a registered owner of the trademark "EXIDE" in India.
- 2) During 1997, the Company came to know that the 'US Company' through its subsidiary company in India has issued advertisements in several newspapers in India thereby infringing and passing off the rights of the Company in above 'EXIDE' trademark. It immediately filed a suit at Hon'ble Delhi High Court and got an injunction, whereby the US Company was restrained to use the mark 'EXIDE' in India.



- 3) During September 2012, the Single Judge of the Delhi High Court decided the above suit in favour of the Company and decreed its suit.
- 4) The 'US Company' filed an appeal before the division bench of the Hon'ble Delhi High Court against the Order of the Single Judge. Recently in September 2016, the Division bench allowed the appeal of US Company and *inter-alia* held both 'the Company' and 'US Company' can concurrently use the mark 'EXIDE' in India.
- 5) The Company immediately filed a 'Special Leave Petition' ('SLP') before the Hon'ble Supreme Court of India. On 30th September 2016, the Supreme Court while hearing the SLP passed an interim order in favour of the Company whereby the US Company has been restrained to directly / indirectly use the name and / or mark "EXIDE" in any manner in India.

It may kindly be noted that the above event is part of ongoing legal proceeding of the Company for more than 19 years. Further it does not constitute a "material event or information" in terms of the approved "Policy on determination of Materiality for Disclosures" framed by the Company pursuant to Regulation 30 of the Listing Regulations.

In view of above, the event was not disclosed earlier to stock exchanges in terms of Regulation 30 of Listing Regulations.

We sincerely hope the above clarifies our position in the matter. Should you require any further information in the matter, please contact the undersigned.

Thanking You

For **Exide Industries Limited**



(Jitendra Kumar)

Company Secretary & Sr. Vice President (Legal)