IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2018

CORAM

THE HONOURABLE MR. JUSTICE R. SUBBIAH

AND

THE HONOURABLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 33909 of 2013

&

M.P. No. 1 of 2013

1. M/s. Diamcad N.V.,
A Belgian Company with its
registered Office situated
at Schupstraat 17,
B-2018, Antwerp, BELGIUM.

2. Mr. Sivovolenko Sergi Borisovish
Room 216, Building 2,
13, Sedova Street,
Moscow, Russia.

(Petitioners 1 and 2 rep. by its
Power Agent Nair R.R.,Chennai) ..Petitioners

Vs.

1. Intellectual Property Appellate Board,
Guna Complex Annexe-I, 2nd Floor,
443, Anna Salai, Teynampet,
Chennai - 600 018.

2. The Assistant Controller of Patents &
Designs Chennai,
Intellectual Property Rights Building,
Industrial Estate SIDCO, RMD Godown Area,
GST Road, Guindy, Chennai - 600 032.

3. M/s. Sarin Technologies, an Israeli Company,
No.4, Hahilazon Street, Ramat Gan,
ISRAEL 52522. ..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Certiorarified Mandamus to call for the records of the 1st respondent comprised in its order

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bearing No. 189/2012 dated 03.08.2012 in M.P. No. 16/2009, 36/2011, 64/2011, 65/2011, 27/2012 and 54/2012 in OA/4/2009/PT/CH and OA/4/2009/PT/CH and quash the same and consequently remand the proceedings to the second respondent to dispose of the same in accordance with law after hearing the parties on the recommendations of the Opposition Board and taking into account the amendments proposed by the petitioner to its specifications.

For Petitioners :: Mr.Rahul Balaji

For Respondents :: Mr.T.V. Krishnamachari
Special Panel Counsel for
Central Government for
R1 and R2

O R D E R

(Order of the Court was made by R. SUBBIAH,J.)

This writ petition is filed for issue of a Writ of Certiorarified Mandamus to call for the records of the 1st respondent comprised in its order bearing No. 189/2012 dated 03.08.2012 in M.P. No. 16/2009, 36/2011, 64/2011, 65/2011, 27/2012 and 54/2012 in OA/4/2009/PT/CH and OA/4/2009/PT/CH and quash the same and consequently remand the proceedings to the second respondent to dispose of the same in accordance with law after hearing the parties on the recommendations of the Opposition Board and taking into account the amendments proposed by the petitioner to its specifications.

2. When the matter is taken up, it is submitted by the learned counsel for the petitioners that his clients are no longer interested in prosecuting the case and he has also made an endorsement to that effect.

3. In view of the submission and endorsement made by the learned counsel for the petitioners, the writ petition is dismissed as not pressed. No costs. Connected M.P. is closed.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1. Intellectual Property Appellate Board,
   Guna Complex Annexe-I, 2nd Floor,
   443, Anna Salai, Teynampet,
   Chennai - 600 018.

2. The Assistant Controller of Patents &
   Designs Chennai,
   Intellectual Property Rights Building,
   Industrial Estate SIDCO, RMD Godown Area,
   GST Road, Guindy, Chennai - 600 032.

+1cc to Mr.T.V.KRISHNAMACHARI, Advocate, S.R.No. 4869

W.P. No. 33909 of 2013

KJI(CO)
TR(19/02/2018)

HIGH COURT OF JUDICATURE MADRAS
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