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(T)OP(PT)36/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

D A T E D : 08.06.2023

CORAM

THE HONOURABLE **MR.JUSTICE SENTHILKUMAR
RAMAMOORTHY**

(T)OP(PT)36/ 2023
ORA/20/2013/PT/CH

M/s.Abellon Eco Equipments Limited,
Sydney House, Old Premchand Nagar Road,
Opp. Satyagrah Chhavi, Bodakdev,
Ahmedabad-380 054
Gujarat, India.

.. Petitioner

vs.

1. Indian Institute of Science
A registered trust in India under Charitable
Endowments Act
Having its address at Bangalore – 560 012
Karnataka State
India

2. Controller of Patent and Design, Mumbai
having office at audhik Sampada Bhavan
SM Road, near Antop Hill Post Office,
Antop Hill, Mumbai, 400 037.

... Respondents

PRAYER: Petition for the revocation of patent under Section 64 or
Rectification of the Register of Patents under Section 71 of the Patents Act

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1970 prays (a) this Hon'ble Court be pleased to order the Controller of Patent and design that the patent No.229283 registered in favour of the patents which is invalid and is obtained by misrepresentation before the Controller and therefore, the Patent is not invention and requires to be rectified or revoked, hence to be struck off from the Register of Patent; (b) this Hon'ble Court be pleased to pass an order in favour of the applicant and against the respondent and order payment of the cost of these proceedings to the applicant.

For Petitioner : Mr.Arun C.Mohan for
M/s.Y.J.Trivedi and Co.

For Respondents : Mr.Subbin for
M/s.Remfry and Sagar

ORDER

Learned counsel for the first respondent has produced the current status of Patent No.229283. The document indicates that Patent No.229283 was not renewed and, therefore, the term of Patent expired. Consequently, this petition has been rendered infructuous and stands dismissed without any order as to costs.

08.06.2023

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SENTHILKUMAR RAMAMOORTHY,

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