



(T)OP(PT)/37/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(T)OP(PT)/37/2023
(ORA/29/2013/PT/CH)

M/s.KPR Fertilizers Ltd.,
Represented by Its Managing Director
Sri K.Venkata Mukunda Reddy
S.No.24/2, Nallamilli Road,
Bikkavolu Mandal,
East Godavari District, A.P

... Petitioner

-VS-

1.Controller of Patents,
Intellectual Property Office,
Intellectual Property Office Building,
GST Road, Guindy, Chennai 600 032.

2.Sri.Abburi Visweshwara Rao

... Respondents

PRAYER: Transfer Original Petition (Patent) filed under Section 64(1) of the Patents Act, 2003, prays that the Patent No.IN 202028 of the Respondent No.2, for A Process for the Manufacture of Food Grade Dicalcium Phosphate granted by the Respondent No.1 shall be revoked to maintain the purity of the register and to award the costs in favour of the petitioner.

For Petitioner : Ms.I.M.Subashini for M/s.RVR Asso.



WEB COPY



(T)OP(PT)/37/2023

SENTHILKUMAR RAMAMOORTHY,J

rna

For Respondent 2 : Mr.A.Vijay Anand
for M/s.De Penning and De Penning
For Respondent 1 : Mr.J.Madanagopal Rao, SPC

ORDER

Mr.Vijay Anand, learned counsel, appears for M/s.De Penning and De Penning, learned counsel for the second respondent. He has placed on record the document dated 27.02.2003 by which Patent No.202038 was granted for a term of 20 years from 27.02.2003. Consequently, it is evident that the term of patent expired in February 2023.

2. In view of the above development, no adjudication is necessary in this petition. Therefore, (T)OP(PT)/37/2023 is dismissed as infructuous without any order as to costs.

11.07.2023

rna

Index : Yes / No

Internet : Yes / No

(T)OP(PT)/37/2023
(ORA/29/2013/PT/CH)