



(T)OP(TM) No.68 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE **P.B.BALAJI**

(T) OP (TM) No.68 of 2023
(ORA/SR/13/2017/PT/CHN)

Professor. Jayashankar,
Telangana State Agricultural University,
Rajendra Nagar, Hyderabad – 500 030,
Telangana, India,
represented by its Registrar.

... Petitioner

Vs.

- 1.Monsanto Technology LLC,
800, North Lindbergh Boulevard
St.Loius, Missouri 63167, USA.
- 2.Assistant Controller of Patents & Designs,
Boudhik Sampada Bhawan,
G.S.T Road,
Guindy, Chennai – 600 032.

... Respondents

Prayer: The Original Petition filed under Section 47/57/125 of Trademark Act, 1999, praying that;

i.The impugned patent No.232681 granted in the name of Monsanto Technology, LLC, be revoked in toto under Section 64 of the Patents (Amendment) Act, 2005;



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ii.The petitioner may be allowed to make further submissions in case the Patentee amends the claims;

iii.Any other reliefs considering the facts and circumstances may be granted in favour of the applicant/petitioner in the interest of justice.

For Petitioner : No appearance

For Respondents

For R2 : Mr.J.Madhanagopal Rao
Senior Panel Counsel

ORDER

When the matter was taken up for hearing on 12.06.2024, there was no representation on the side of the petitioner and hence, the Registry was directed to post the Original Petition today i.e., 13.06.2024, under the caption “For Dismissal”.

2.Since despite service of notice, none appears for the petitioner. Mr.J.Madanagopal Rao, learned Senior Panel Counsel appearing for the 2nd respondent alone is present.



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3. Even today, there is no representation on the side of the petitioner.

Hence, this Original Petition is dismissed for non prosecution. There shall be no order as to costs.

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Index : Yes / No

Speaking / Non Speaking order



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