



WEB COPY



(T)CMA(PT)/27/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04.07.2023**

CORAM

THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

(T)CMA(PT)/27/2023

(OA/12/2014/PT/CH)

Bayer Schering Pharma AG D-13342
Berlin Germany.

... Appellant

-VS-

1.M/s.Cipla Ltd., 289 Bellalis Road,
Mumbai Central, Mumbai - 400 008.

2.Natco Pharma Ltd., Natco House Road No.2,
Banjara Hills, Hyderabad 500 034, Telengana.

3.The Controller General of Patents & Designs
Boudhik Sampada Bhawan CP-2, Sector V,
Salt Lake City, Kolkata - 700 091.

4.The Assistant Controller of Patents & Designs,
The Patent Office, Intellectual Property Building,
GST Road, Guindy, Chennai - 600 032.

5.The Examiner of Patents & Designs,
The Patent Office, Intellectual Property Building,
GST Road, Guindy, Chennai - 600 032.

... Respondents

PRAYER: Transfer Civil Miscellaneous Appeal (Patent) filed under Section 117-A of the Patents Act, 1970, pleased to call for the records of the matter relating to the impugned order and issue an order setting aside the



(T)CMA(PT)/27/2023

SENTHILKUMAR RAMAMOORTHY, J

rna

WEB COPY

order dated December 02, 2010 passed by Respondent No.4 and direct Respondent No.4 to grant a Patent on the subject application allowing the present appeal.

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

For Respondents : Mr.M.Karthikeyan,
3 to 5 SPC

For Respondent 1 : Mr.Dominic Alvares
for M/s.S.Majumdar and Co.

ORDER

Learned counsel for the appellant submits that the term of the relevant patent expired in August 2020. Consequently, the matter has been rendered infructuous.

2. Accordingly, (T)CMA(PT)/27/2023 is dismissed as infructuous without any order as to costs.

04.07.2023

rna

Index : Yes / No

Internet : Yes / No

(T)CMA(PT)/27/2023
(OA/12/2014/PT/CH)