



WEB COPY



(T)CMA(PT)/29/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(T)CMA(PT)/29/2023
(OA/48/2014/PT/CHE)

H.Lundbeck A/S,
having its office at 9,
Ottiliavej, DK-2500, Valby,
Denmark.

... Appellant

-vs-

The Controller of Patents and Designs
The Patent Office Branch,
Chennai.

... Respondent

PRAYER: Transfer Civil Miscellaneous Appeal (Patents) filed under Sections 117-A of the Patents Act, 1970, prayed to (i) issue appropriate directions or Order quashing the impugned Order dated January 29, 2013 passed by the Respondent refusing to condone the procedural irregularity in payment of insufficient fee for request for examination on Form 18; (ii) issue appropriate Orders permitting the Appellant to resubmit the request for Examination with a fee of Rs.10000/- on Patent Application No.9532/CHENP/2011; (iii) issue Orders to the Respondent to take the request for examination on record and proceed with the Patent Application No.9532/CHENP/2011 in the regular manner; (iv) issue appropriate Orders to Respondent to withdraw the official notification treating the Patent Application No.9532/CHENP/2011 as withdrawn; (v) pass such other or further orders as this Court deems fit in the



(T)CMA(PT)/29/2023

SENTHILKUMAR RAMAMOORTHY, J.

kal

WEB COPY

interests of Justice and the circumstances of the case; and (vi) unless orders are made as prayed for, the Appellant shall suffer irreparable loss, prejudice and injury.

For Appellant : Mr.Sonal Mishra
for M/s.L.S.Davar and Co.
For Respondent : Mr.S.Janarthanam, SPC

JUDGMENT

Learned counsel for the appellant submits that he has been instructed to withdraw the appeal. A memo has been filed for the said purpose.

2. By taking note of the same, (T)CMA(PT)/29/2023 is dismissed as withdrawn without any order as to costs.

22.08.2023

kal

Index : Yes / No

Internet : Yes / No

(T)CMA(PT)/29/2023
(OA/48/2014/PT/CHE)