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(T)CMA(PT)/63 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM

THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

(T)CMA(PT)/63 of 2023

[OA/12/2003/PT/CH]

N.Mariappan
No.137, North Car Street,
Sivakasi-626 123.

... Appellant

-VS-

1.S.A.Safiullah and Co.
Represented by its Proprietor, A.R.Safiullah
Rajagopalapuram,
Pudukottai-622 003.

2.Assistant Controller of Patents and Designs,
Patent Office, Chennai,
Intellectual Property Building,
GST Road,
Guindy, Chennai-600 032.

... Respondents

PRAYER: Original Appeal filed under Section 25(4) and 117A (2) of the Patents Act, 1970 read with Rule 3 of the Intellectual Property Appellate Board (Procedure) Rules, 2003, prays (i) Revoke the Patent No.198079 granted on patent application No.693/MAS/2000 on the ground that the alleged invention is obvious and clearly does not involve an inventive step under Section 25(2)(e) of the Patents Act, 1970; (ii) Revoke



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the Patent No.198079 granted on patent application No.693/MAS/2000 on the round that the subject of the claims is not an invention and is not patentable under Section 25(2)(f) of the Patents Act, 1970; (iii) Grant an oral hearing to the appellant; (iv) allow this appeal to be clubbed together and listed along with Original Appeal No.OA/3/2009/PT/CH filed by the first respondent.

For Petitioner : Mr.Sudhir Raja Ravindran for
M/s.Altacit Global
For Respondents : Mr.Arun C. Mohan for R1

ORDER

On instructions, the first respondent submits that Patent No.198079 was valid only up to 28.08.2020. In view of the expiry of term of the relevant patent, (T)CMA(PT)/63 of 2023 has been rendered infructuous and stands dismissed without any order as to costs.

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Index : Yes / No

Neutral Citation: Yes/ No

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