



(T)CMA(PT)/76/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(T)CMA(PT)/76/2023

(OA/10/2012/PT/CH)

Novartis AG,
Lichtstrasse -35, CH-4056, Basel Switzerland. ... Appellant

-vs-

1.The Controller of Patents and Designs,
The Patent Office, Intellectual Property Rights Building,
GST Road, Guindy, Chennai - 600 032

2.The Deputy Controller of Patents and Designs,
The Patent Office, Intellectual Property Rights Building,
GST Road, Guindy, Chennai 600 032

3.Torrent Pharmaceuticals Limited,
Ahmedabad- 380009, Gujarat, India. ... Respondents

PRAYER: Transfer Civil Miscellaneous Appeal (Patent) filed under Section 117-A of the Patents Act, 1970, prays that An order setting aside the impugned order dated May 25,2011 passed by Respondent No 2 in respect off the opposition under Sec.25(2) of the Patents Act, 1970 to patent No. 223313 and To set aside said order and remand the matter back to the patent office for re consideration and re appreciation of the actual facts, merits and the proposed amendments in the specification. c. An order rejecting the opposition



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under section 25(2) of the Patents Act, 1970 to patent No 223313 and
An order directing Respondent No. 3 to pay cost of and incidental to
this appeal.

For Appellant : Mrs.S.Nithya
for M/s.R.K.Dewan and Co.,
For Respondents : Mr.C.Samivel, SPC
1 and 2
For Respondent 3 : Mr.Dominic Alvares
for M/s.Majumdar and Co.,

ORDER

On instructions, learned counsel for the appellant confirms that
the term of Patent No.223313 expired on 16.05.2023. In view of this
development, the petition has been rendered infructuous.

2. Consequently, (T)CMA(PT)/76/2023 is dismissed as
infructuous without any order as to costs.

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Index : Yes / No

Internet : Yes / No

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