



WEB COPY



(T)CMA(PT)/84 /2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13.07.2023**

CORAM

THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

(T)CMA(PT)/84/2023

(OA/15/2016/PT/CH)

Oracle International Corporation, a US Company
500 Oracle Parkway M/S 50P7,
Redwood Shores, California,
USA 94065.

... Appellant

-VS-

1. Controller of Patents

Intellectual Property Office Building,
G.S.T. Road, Guindy, Chennai-600 032.

2. Assistant Controller of Patents, Patent Office

Intellectual Property Office Building
GST Road, Guindy,
Chennai-600 032.

3. The Examiner of Patents Patent Office,

Intellectual Property Office Building,
G.S.T. Road, Guindy, Chennai-600 032.

... Respondents

PRAYER: Transfer Civil Miscellaneous Appeal (Patents) filed under Section 117-A of the Patents Act, 1970, prayed that (a) the subject matter in the application 3566/CHENP/2006 is patent eligible at least for the reasons below and overturn the impugned order: (1) the learned Controller has erred



(T)CMA(PT)/84 /2023

as a matter of law in having read into the claims unclaimed subject matter, and thereby arriving at conclusions incongruous with the clear provisions of the Patent Act; (2) the claimed subject matter is not excluded from patent protection as a 'business method' under section 3(K) of the Patents Act, 1970; (3) the claimed subject matter is not excluded from patent protection as a 'algorithm' under section 3(K) of the Patents Act, 1970; (4) the claimed subject matter is not excluded from patent protection as a 'computer program per se' under section 3(K) of the Patents Act, 1970 and (5) the claimed subject matter is not excluded from protection as a 'mere scheme or rule' under section 3(m) of the Patents Act.

For Appellant : Mr.Dileep Paturu for
M/s.Law Firm of Naren Thappeta
For Respondent : Mr.S.Janarthanam, CGSC

ORDER

Learned counsel for the appellant has submitted a memo dated 06.07.2023 for the withdrawal of the appeal.

2. By taking note of the memo, (T)CMA(PT)/84/2023 is dismissed as withdrawn without any order as to costs.

13.07.2023

kal
Index : Yes / No
Internet : Yes / No



WEB COPY



(T)CMA(PT)/84 /2023

SENTHILKUMAR RAMAMOORTHY,J

kal

(T)CMA(PT)/84/2023
(OA/15/2016/PT/CH)

13.07.2023