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(T)CMA(PT)/100 /2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2023

CORAM

THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

(T)CMA(PT)/100/2023

(OA/9/2012/PT/CH)

M/s.Premier Evolvics Pvt. Ltd.

SF No.79/6, Kulathur Road, Venkitapuram Post,
Coimbatore-641 062.

... Appellant

-VS-

1. The Controller of Patents & Designs, Chennai,
The Patent Office, Intellectual Property Building,
G.S.T.Road, Guindy, Chennai-600 032.

2. The Assistant Controller of Patents & Designs,
Chennai, The Patent Office, Intellectual Property Building,
G.S.T.Road,Guindy, Chennai-600 032.

3. Shanmuga Sundarm Thiyagu,
an Indian national of E-49, Sidco Industrial Estate,
Kurichi, Coimbatore-641 021.

... Respondents

PRAYER: Transfer Civil Miscellaneous Appeal (Patents) filed under Section 117-A of the Patents act, 1970 Trademarks Act, 1999, pleased to pass: (a) An order setting aside the impugned order dated February 25, 2011 passed by the Respondent No.2 in respect of the opposition to Patent No.223959 (1718/CHENP/2005) and accordingly reject the opposition under section 25(2) of the Patents Act, 1970 filed by the Respondent No.3

SENTHILKUMAR RAMAMOORTHY, J



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to the said Patent; (b) An order upholding the patent No.223959 in favour of the Appellant; and (c) An order awarding the costs of and incidental to this appeal to the Appellant.

For Appellant : Mr.Dominic Alvares for
M/s.S.Majumdar and Co.
For Respondents : Mr.J.Madanagopal Rao, SPC for R2

ORDER

Learned counsel for the appellant submits that the term of Patent No.223959 expired on 08.01.2023. In view thereof, the matter has been rendered infructuous. Therefore, (T)CMA(PT)/100/2023 is dismissed as infructuous without any order as to costs.

11.07.2023

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Index : Yes / No
Internet : Yes / No

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