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(T)CMA(PT)/115 /2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

**(T)CMA(PT)/115/2023**

**(OA/3/2019/PT/CH)**

OncoTherapy Science, Inc.  
2-1, Sakado 3-chome  
Takatsu-ku, Kawasaki-shi  
Kanagawa-213-0012  
Japan.

... Appellant

-VS-

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

... Respondent

**PRAYER:** Transfer Civil Miscellaneous Appeal (Patents) filed under Section 117-A of the Patents Act, 1970, prays that the order dated 03 August 2018 issued by the Respondent be set aside and the application No.1774/CHENP/2011 for patent be allowed to proceed to grant.

For Appellant : Mr.Vijay Anand for  
M/s.De Penning and De Penning  
For Respondent : Mr.P.R.Ramesh Babu, SPC

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**SENTHILKUMAR RAMAMOORTHY,J**

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**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 By taking note of the memo, (T)CMA(PT)/115/2023 is dismissed as withdrawn without any order as to costs.

**11.07.2023**

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Index : Yes / No

Internet : Yes / No

**(T)CMA(TM)/115/2023**  
**(OA/3/2019/PT/CH)**