



WEB COPY



(T)CMA(PT)/130/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(T)CMA(PT)/130/2023

(OA/42/2012/PT/CH)

Sun Pharmaceutical Industries Limited
Acme Plaza, Andheri-Kurla Road,
Andheri East, Mumbai - 400059, Maharashtra, India. ... Appellant

-VS-

- 1.The Controller of Patents and Designs, Chennai,
Intellectual Property Building,
G.S.T. road, Guindy, Chennai - 600 032, Tamil Nadu, India.
- 2.The Assistant Controller of Patents and Designs, Chennai
Intellectual Property Building,
G.S.T. Road, Guindy, Chennai -600 032, Tamil Nadu, India.
- 3.Sucampo AG,
Graben 5, CH6300 Zug,
Switzerland.
Represented in India by
120 Velachery Main Road,
Guindy, Chennai 600 032,
Tamil Nadu , 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 January 03, 2012 passed by the Learned Asst.

SENTHILKUMAR RAMAMOORTHY,J



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Controller of Patents and Design, in respect of patent No. 224855 and An order allowing the opposition under section 25 (2) of the Patents Act, in respect of the subject patent being not novel, being obvious and not patentable under section 3 (d) and An order directing the Learned Controller of Patents and Design Chennai to proceed to refuse the grant of the patent in accordance with Law.

For Appellant : Mr.Dominic Alvares
for M/s.S.Majumdar and Co.,
For Respondent 3 : Mr.A.Vijay Anand,
for M/s.De Penning and De Penning
For Respondents : Mr.M.Karthikeyan, SPC
1 and 2

ORDER

Both learned counsel for the petitioner and learned counsel for the second respondent submit that the term of Patent No.224855 ceased on 14.10.2019. Consequently, the petition has been rendered infructuous.

2. Therefore, (T)CMA(PT)/130/2023 is dismissed as infructuous without any order as to costs.

14.07.2023

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Index : Yes / No

Internet : Yes / No

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