



(T)CMA(PT)/131/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

**(T)CMA(PT)/131/2023**

**(OA/50/2012/PT/CH)**

Novartis AG

A company incorporated under the laws of Switzerland,  
Schwarzwaldalee 215, CH 4058 Basel, Switzerland

... Appellant

-VS-

1.Asst.Controller of Patents and Designs

Government of India, Patent Office,

Intellectual Property Rights Building,

G.S.T.Road, Guindy, Chennai 600032

2.Mylan Laboratories Limited of R and D Center

Plot No.34A, Anrich Industrial Estate, Bollaram (V), Jinnaram (M),

Medak Distt, Hyderabad AP Pin 502325, India

... Respondents

**PRAYER:** Transfer Civil Miscellaneous Appeal (Patent) filed under Section 117-A of the Patents Act, 1970, pleased to set aside the impugned order dated 17.02.2012 passed by the Assistant Controller of Patents and Designs in respect of Post Grant Opposition for the Patent No.237273 (b) to dismiss the present Opposition dated 22.12.2010 filed by the Respondent in respect of the Patent No.237273 as not maintainable under law.



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(T)CMA(PT)/131/2023

**SENTHILKUMAR RAMAMOORTHY,J**

rna

For Appellant : Mr.A.Vijay Anand  
for M/s.De Penning and De Penning

For Respondent 1 : Mr.M.Karthikeyan, SPC

For Respondent 2 : Mr.Dominic Alvares  
for M/s.S.Majumdar and Co.,  
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**ORDER**

Learned counsel for the appellant has submitted a memo dated 07.07.2023 for the withdrawal of the appeal.

2. By taking note of the memo, (T)CMA(PT)/131/2023 is dismissed as withdrawn without any order as to costs.

**14.07.2023**

rna

Index : Yes / No

Internet : Yes / No

**(T)CMA(PT)/131/2023**  
**(OA/50/2012/PT/CH)**