



(T)CMA(PT)/132/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(T)CMA(PT)/132/2023

(OA/52/2012/PT/CH)

Novartis AG
Schwarzwaldallee 215, CH-4058, Switzerland
A Swiss Company

... Appellant

-VS-

1.Sun Pharmaceuticals Limited
Acme Plaza, Andheri - Kurla Road,
Andheri (E), Mumbai 400059
State of Maharashtra, India.
2.Asst. Controller of Patents and Designs
Government of India, Patent Office
Intellectual Property Rights Building,
GST Road, Guindy Chennai - 600 032

... Respondents

PRAYER: Transfer Civil Miscellaneous Appeal (Patent) filed under Section 117-A of the Patents Act, 1970, prays that the order passed by the Respondent No. 2 dated 30 March 2009 be set aside and the application No. IN/PCT/2001/00016/CHE for patent be allowed to proceed to grant.

For Appellant : Mr.B.Yokesh
for M/s.R.K.Dewan and Co.,
For Respondent 2 : Mr.M.Karthikeyan, SPC



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SENTHILKUMAR RAMAMOORTHY,J

rna

ORDER

Learned counsel for the appellant submits that Patent No.223313 expired on 16.05.2023. He has placed on record a document from the office of the Controller General of Patent, Designs and Trademark evidencing the expiry of the impugned patent. Consequently, no adjudication is necessary.

2. Therefore, (T)CMA(PT)/132/2023 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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