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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(T)(PT)A/1/2023

(T)OP(PT)/SR.72/2023

(ORA/SR.52/2010/CHN)

M/s.Moti and Company
Rep. by its Partner, Mr.Shantichand Golecha,
No.11, Appakannu Street, Royapettah,
Chennai 600 014.
Petitioner

...

-vs-

1.M/s.B.Braun Melsungen AG
Of Carl-Braun-Str.1, 34212 Melsungen,
Germany.

2.The Controller of Patents and Designs,
Patent Office, Intellectual Property Building,
GST Road, Guindy, Chennai 600 032.

...

Respondents

PRAYER in (T)(PT)A/1/2023: Transfer Patent application is filed under Section 5 of the Limitation Act, praying that the delay in submitting the information in respect of such corresponding applications filed in different countries outside India may be condoned and such information may be accepted on file.

PRAYER in (T)OP(PT)/SR.72/2023: Transfer Original Petition (Patents) filed under Section 64 of the Patents Act, 1970, praying that



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an order to Respondent No.2 to revoke / invalidate the impugned patent of the Respondent No.1.

For Petitioner : Mr.Vaibhav
for M/s.BFS Legal
For Respondent 2 : Ms.P.J.Anitha, CGSC

ORDER

Learned counsel for the petitioner / intending petitioner submits that the term of Patent No.221306 expired on 13.07.2021. Therefore, he submits that the matter has been rendered infructuous. By taking note of the submission, the application is dismissed and the Transfer Original Petition is dismissed as infructuous at the SR Stage.

31.10.2023

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Index : Yes / No

Internet : Yes / No

Neutral Citation: Yes / No

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