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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **C.A.(COMM.IPD-PAT) 28/2022**

SONY ERICSSON MOBILE COMMUNICATIONS AB

..... Appellant

Through: Mr. Vineet Rohilla, Mr. Rohit Rangi, Mr. Debashish Banerjee, Mr. Ankush Verma & Mr. Tanveer Malhotra, Advs

versus

UNION OF INDIA THROUGH THE SECRETARY

..... Respondent

Through: Mr. Harish Vaidyanathan Shankar, CGSC, Mr. Srish Kumar Mishra, Mr. Sagar Mehlawat, Mr. Alexander Mathai Paikaday, Mr. M Sriram & Mr. Krishnan V, Advs.

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER (O R A L)

04.09.2023

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1. This is an appeal challenging the order dated 30 June 2014 passed by the Deputy Controller of Patents and Designs, whereby Application No. 2742/DELNP/2006 dated 16 May 2006, filed by the appellant, seeking registration of a patent for “location status indicator for mobile phones”, stands rejected.

2. Mr. Vaidyanathan, with his usual fairness, acknowledges that the impugned order could possibly be more properly reasoned and, therefore, submits that, if the order is set aside and matter is



remanded, the respondent shall ensure that a proper reasoned order is passed within a time fixed by this Court.

3. Accordingly, the impugned order is set aside. The application no. 2742/DELNP/2006 dated 16 May 2006, filed by the appellant is remanded to the Controller General of Patents and Designs to be assigned to a competent officer who would re-examine the application and take a fresh decision thereon within a period of eight weeks from today. Before taking a decision, the appellant shall be granted an opportunity of hearing for which purpose the appellant shall present itself before the concerned officer on 13 September 2023 at a time to be fixed by the officer and intimated to the appellant.

4. The appeal stands allowed in the aforesaid terms.

C.HARI SHANKAR, J

SEPTEMBER 4, 2023

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