



2023:DHC:8351



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **C.A.(COMM.IPD-PAT) 257/2022****GEMALTO S.A.**

..... Appellant

Through: Mr. Rohit Rangi, Mr. Vineet Rohilla, Mr. Debashish Banerjee and Ms. Vaishali, Advs.

versus

**THE CONTROLLER OF
PATENTS AND OTHERS**

..... Respondents

Through: Mr. Harish Vaidyanathan Shankar, CGSC with Mr. Srish Kumar Mishra, Mr. Alexander Mathai Paikaday and Mr. Krishnan V., Advs.

CORAM:**HON'BLE MR. JUSTICE C. HARI SHANKAR****ORDER (ORAL)**

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20.11.2023

1. Mr. Vaidyanathan, at the very outset, has drawn my attention to a communication dated 25 November 2016 from the author of the impugned order, which states that the impugned order has been passed on the basis of the earlier prevailing Computer Related Invention (CRI) guidelines, which have since been revised, and proposes a reconsideration of the matter on the basis of the revised CRI guidelines.

2. Mr. Rohit Rangi, learned Counsel for the appellant is agreeable to the said exercise being carried out without prejudice to his rights and contentions.



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3. Accordingly, without expressing any opinion on the merits of the matter and by consent of parties, this appeal is disposed of by setting aside the impugned order dated 25 November 2016 and restoring Application No. 3765/DELNP/2006 dated 30 June 2006, filed by the appellant, for *de novo* consideration.
4. Let the matter be reconsidered and a decision taken positively within a period of three months from today.
5. The appeal stands allowed to the aforesaid extent.

C. HARI SHANKAR, J.

NOVEMBER 20, 2023

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Click here to check corrigendum, if any