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(T)CMA(PT)/169/2023
(OA/SR.6/2020/PT/CHN)

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2024

CORAM

MR.JUSTICE N.SESHASAYEE

(T)CMA(PT)/169/2023
(OA/SR.6/2020/PT/CHN)

Erytech Pharma
60, avenue Rockefeller
F-69008 Lyon (FR)
Through its Authorized Representative

... Appellant

Vs.

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

... Respondent

PRAYER: Transfer Civil Miscellaneous Appeal (Patents) is filed under Sections 117 A of the Indian Patents Act, 1970, praying (i) to allow the present appeal and set aside / quash the impugned decision dated December 18, 2018 passed by the respondent in Indian Patent Application No.661/CHENP/2010; (ii) allow said Indian Patent Application No.661/CHENP/2010 and direct grant of patent in respect thereof; (iii) in alternative, remand the Indian Patent Application No.661/CHENP/2010



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before the respondent with a direction to fresh and time-bound examination.

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N.SESHASAYEE, J.

kas

For Appellant : Mr.Mr.K.Muthuselvam

For Respondent : Mr.P.K.Ganesh
Central Govt. Standing Counsel

JUDGMENT

The learned counsel for the appellant on instruction seeks the leave of the Court to withdraw the appeal. Memo of withdrawal to that effect dated 05.03.2024 is also filed and the same is recorded.

2.This appeal stands dismissed accordingly as withdrawn. There is no order as to costs.

05.03.2024

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Index: yes / no
Neutral Citation

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