

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

COMMERCIAL MISCELLANEOUS PETITION NO.72 OF 2025

AIC246 AG And Co. KG

....Petitioner

Versus

The Patent Office of India

Through Controller General

Of Patents, Designs And Trade Marks & Ors.

...Respondents

Mr. Amey Nargolkar, Nish Austine, Dhiren Karania i/b Khaitan & Co., for the Petitioner.

Mr. Vinit Jain a/w Ashutosh Mishra a/w Gaurav Mhatre, for Respondent No.1.

Mr. Rashmin Khandekar a/w Anand Mohan, Vanditta Malhotra Hegde, Archi Gala, Sanjana Krishnasarma i/b VMH & Associates, for Respondent No.3.

CORAM : ARIF S. DOCTOR, J.

DATE : 16th SEPTEMBER, 2025.

P.C.

1. At the outset, Learned Counsel appearing on behalf of the Petitioner raises a grievance that no affidavit-in-reply has been filed by Respondent Nos.1 and 2 despite the order dated 28th April 2025.

2 Mr. Khandekar also points out that the order dated 1st July 2025 made it clear that if such affidavit is not filed the petition will be taken up for hearing without reply. Even today no affidavit-in-reply has been filed on behalf of Respondent Nos.1 and 2. It is clear that the Respondents do not choose to contest the present petition by filing the affidavit.

- 3 Stand over to **24th September 2025** for final disposal.
4. Both the Petitioner and as also Respondent No.3 are directed to file a brief note of submission alongwith compilation of case law; if any.

[ARIF S. DOCTOR, J.]