



WEB COPY

CMP No. 7631 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 15-04-2026**

CORAM

**THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY**

**CMP No. 7631 of 2026  
in CMA(PT)/SR.No.96380/2025**

P.V.Flood Control Corporation  
201, 505-8th Avenue  
SW Calagary, Alberta T2P IGI ,  
Canada.

..Petitioner(s)

Vs

The Deputy Controller Of Patents And Designs  
Patent Office, IPR Building, SIDCO Plot,  
GST Road, Guindy,  
Chennai 600 032.

..Respondent(s)

**PRAYER:** To condone the delay of 391 days in filing this appeal against the order of the Respondent dated 01-03-2024 in the Patent Application No.202048018943.

For Petitioner(s): Mr.K.Muthuselvam  
for M/s.K and S Partners

For Respondent(s): Mr.C.Samivel, SPC

**ORDER**

The intending appellant has applied to condone the delay of 391 days in filing the appeal.

**SENTHILKUMAR RAMAMOORTHY, J.****RNA**

2. In the petition for condonation of delay, it is stated that a review petition was filed within a month of the impugned order and that such review petition was rejected on 05.07.2024. It is also stated that the subject matter of the appeal is highly technical and that the intending appellant is a foreign entity. As a consequence, it is also stated that the execution of requisite documents entailed procedures such as notarisation and apostillation.

3. Learned counsel for the respondent opposes the application to condone delay on the ground that the delay is in excess of one year.

4. Considering the overall facts and circumstances and the fact that a divisional application came to be rejected primarily on the ground that the claimed invention therein is the same as that in the parent application, I am satisfied that sufficient cause is shown. Therefore, the delay in filing the appeal is condoned. As a corollary, the Registry is directed to number the appeal, if otherwise in order.

**15-04-2026**

RNA

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