



IPAB Intellectual Property Appellate Board
balancing ip protection

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ORA/1/2020/PT/CHN

MONDAY, THIS THE 18TH DAY OF JANUARY, 2021

HON'BLE SHRI JUSTICE MANMOHAN SINGH CHAIRMAN
HON'BLE DR.B.P.SINGH TECHNICAL MEMBER (PATENTS)

TORRENT PHARMACEUTICALS LTD.
Torrent house, Off. Ashram Road,
Ahmedabad – 380 009, Gujarat, INDIA

,,, Applicant

(Represented by Ms. H. Rajeshwari)

Versus

1. NOVARTIS AG
Lichtstrasse 35 Ch-4056 Basel,
Switzerland
2. The Controller of Patents, Designs
and Trademarks,
Patent Office Intellectual Property Building,
G.S.T. Road, Guindy
Chennai – 600 032

...Respondents

(Represented by Mr. Hemant Singh)

ORDER

HON'BLE SHRI JUSTICE MANMOHAN SINGH, CHAIRMAN:

1. The petitioner has filed the revocation petition under Section 64 of the Patent Act, 1970 (39 of 1970) for revocation of Indian Patent No.229051.
2. The present petition for revocation is listed for final argument. The learned counsel appearing on behalf of the petitioner states that after filing the present revocation petition, the respondent No.1 filed the suit for infringement of the subject patent in the Hon'ble High Court of Delhi at New Delhi being Suit No.CS (COMM) 425 of 2020. The learned counsel states that the time for filing the written synopsis and counter affidavit has been given by the Hon'ble High Court of Delhi in the said suit. The learned counsel for the petitioner wishes to withdraw the present petition.
3. Mr. Hemant Singh, the learned counsel for the Respondent No.1 submits that the revocation petition is ripe for arguments at IPAB and withdrawal of this application at this point of time may be seen as an attempt to prolong the matter. He, however did not object the withdrawal of this revocation

petition and state that he will make an appropriate submission before the Hon'ble High Court. Under these circumstances, the present petitioner is dismissed as withdrawn. No costs.

-Sd-

(Dr. B.P. Singh)
Technical Member (Patents)

-Sd-

(Justice Manmohan Singh)
Chairman

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