



\$~16

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **C.A.(COMM.IPD-PAT) 32/2024**

PHILLIP MORRIS PRODUCTS S.A.

..... Appellant

Through: Ms. Manisha Singh, Mr. Abhai Pandey, Mr. Varun Sharma, Mr. Manish Aryan and Ms. Shivani Singh, Advocates.

versus

ASSISTANT CONTROLLER OF PATENTS AND DESIGN

..... Respondent

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

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

%

29.05.2024

I.A. 30965/2024(seeking exemption)

1. Exemption is granted, subject to all just exceptions.
2. Appellant shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Disposed of.

C.A.(COMM.IPD-PAT) 32/2024

4. The present appeal under Section 117A of the Patents Act, 1970 (***the Act***) assails order dated 24th January, 2024 passed by the Assistant Controller of Patents and Designs under Section 15 of the Act, rejecting the



grant of Appellant's patent application no. 201617026827 on the ground of Section 3(b) of the Act.

5. Issue notice. Mr. Harish Vaidyanathan Shankar, CGSC, accepts notice on behalf of Respondent.

6. Written submissions, in response to the appeal, be filed within eight weeks from today. Rejoinder submissions on behalf of Appellant, be filed within four weeks thereafter.

7. Re-notify on 04th September, 2024.

SANJEEV NARULA, J

MAY 29, 2024

d.negi