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

+ **C.A.(COMM.IPD-PAT) 51/2024**

NATERA INC

.....Appellant

Through: Ms. Vindhya S. Manvi, Ms. Surbhi Nautiyal, Mr. Ritwik Sharma, Mr. Bhuvan Malhotra, Mr. Arvind Mishra Soleman and Mr. Devesh Aswal, Advocates

Versus

**THE ASSISTANT CONTROLLER OF PATENTS AND
DESIGNS**

.....Respondent

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

**CORAM:
HON'BLE MR. JUSTICE SAURABH BANERJEE**

ORDER
31.07.2024

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I.A. 34957/2024-Exp

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

I.A. 34958/2024-Exp

3. By way of the present application the appellant seeks exemption from filing original/ certified copies of certain documents filed and relied



upon by the appellant in the present writ petition.

4. Learned counsel appearing for the appellant submits that certified copies of certain documents have already been filed. He further submits that he wishes to withdraw the present application.

5. Accordingly, the present application is dismissed as withdrawn.

C.A.(COMM.IPD-PAT) 51/2024

6. By virtue of the present appeal under Section 117A of the Patents Act, 1970, the appellant seeks to challenge the order dated 27.03.2024 whereby the subject matter of the patent application bearing no. 18/DELNP/2015 has been held not patentable due to non-compliance of the objections for non-patentability under Section 3(i) of the Patent Act, 1970 and Section 10(4)(c) and Section 10(5) of the Patent Act, 1970.

7. At the outset, learned counsel appearing for the appellant drawing the attention of this Court to the order under challenge contends that the date therein is inadvertently mentioned as 27.02.2024 instead of the actual date of 27.03.2024 as is evident from the intimation received from the respondent itself (document 30), as also from the print out of www.ipindia.nic.in under the heading Dynamic Patent Utilities: The Controller's Decision (/DynamicUtility/EregisterReport/Home).

8. Learned counsel appearing for the appellant submits that she shall be writing a mail to the respondent qua the aforesaid discrepancy.

9. It is in view of the aforesaid that the learned counsel submits that the present petitioner is well within the allotted time frame and there is no delay of any sort.

10. Issue notice.

11. Learned counsel appearing for the respondent accepts notice. He



seeks and is granted six weeks to file a reply. Rejoinder thereto, if any, be filed within a period of two weeks thereafter.

12. Accordingly, renotify on 09.12.2024.

SAURABH BANERJEE, J

JULY 31, 2024/akr