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

+ **C.A.(COMM.IPD-PAT) 61/2024**

PHILLIP MORRIS PRODUTS S A

.....Appellant

Through: Ms. Manisha Singh, Mr. Abhai
Pandey, Mr. Manish Aryan, Mr.
Nishant Rai, Ms. Shivani Singh,
Advocates.

versus

DEPUTY CONTROLLER OF PATENTS AND DESIGN

.....Respondent

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

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

06.08.2024

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I.A. 35561/2024-Exp

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

C.A.(COMM.IPD-PAT) 61/2024

3. By virtue of the present appeal filed under Section 117A of the Patents Act, 1970, the appellant seeks to challenge the impugned order dated 30.03.2024 passed by the Deputy Controller of Patents and Designs, whereby, the Patent Application No.202117030336 of the application has been rejected.
4. Issue notice.



5. Mr. Harish Vaidyanathan Shankar, learned counsel appearing for the respondent accepts notice. He seeks, and is granted three weeks to file a reply. Rejoinder thereto, if any, be filed within a period of one week thereafter.

6. At this stage, learned counsel for the parties submit that the issue involved in the present application is similar to those involved in the bunch of petitions pending before the HMJ Mini Pushkarna. As such, list this matter before the said Bench, subject to the orders of Hon'ble the Judge-in-Charge (Original Side), on 04.09.2024 alongwith the C.A.(COMM.IPD-PAT) 6/2024.

SAURABH BANERJEE, J

AUGUST 6, 2024/So