



2026:DHC:2597

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

+ C.A.(COMM.IPD-PAT) 493/2022
PRESIDENT AND FELLOWS OF HARVARD COLLEGE

..... Appellant
Through: Mr. Satya Pal Arora and Mr. Kuldeep
Kumar Singh, Advocates.

versus

CONTROLLER GENERAL OF PATENTS DESIGNS AND
TRADEMARKS

..... Respondent
Through: Mr. Balendu Shekhar, CGSC with Mr.
Krishna Chaitanya, Ms. Tanisha
Samanta, Mr. Rajkumar Maurya,
Advocates.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
22.01.2024

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1. Counsel for the appellant in support of opening arguments has handed up various documents in Court *inter alia* fresh set of submissions, Directive of the European Parliament, similar patent applications which have been allowed in Europe, US and UK, and guidelines for examination of bio-technology applications for patent issued in India.
2. Counsel for the respondent (*Controller General of Patents Designs and Trademarks*) states that neither have these documents been supplied to the respondent nor is a copy available for the counsel for the respondent.
3. To allow the respondent to have the benefit of these documents, counsel for the appellant shall serve a copy of these documents along with an index to the respondent's counsel and also file the same before the Court within the next



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two weeks.

4. Dr. Bhanumathi R, Deputy Controller of Patents and Designs, appears *through VC* pursuant to previous direction of this Court. She has assisted the Court in clarifying the technical background of the objections which had been taken by her in rejecting the subject patent application.

5. Counsel for the respondent may share the documents being additionally relied upon by the counsel for the appellant with Dr. Bhanumathi R, in order that there can be full assistance to the Court on the next date of hearing. Dr. Bhanumathi R is requested to be present through VC on the next date of hearing.

6. List on 05th April, 2024.

7. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JANUARY 22, 2024/RK/NA