



\$~35

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

+ C.A.(COMM.IPD-PAT) 69/2024 & I.A. Nos. 38100/2024 &
38101/2024

9449710 CANADA INC

.....Appellant

Through: Ms. Manisha Singh with Mr. Abhai
Pandey, Ms. Swati Mittal, Mr.
Nishant Rai and Ms. Shivani Singh,
Advocates.
(M): 9811161518

versus

DEPUTY CONTROLLER OF PATENTS AND
DESIGN

.....Respondent

Through: Ms. Nidhi Raman, CGSC with Ms.
Rashi Kapoor and Mr. Zubin Singh,
Advocates.
(M): 9810034486
9891088658

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
02.09.2024

%

**I.A. No. 38100/2024 (Exemption from filing originals and certified
copies)**

1. The present is an application filed under Section 151 of the Code of Civil Procedure, 1908 ("CPC") seeking exemption from filing certified/original documents copies of which, are dim or have improper margins, and permit the appellant to file dim and/or illegible documents/copies and documents.



2. Exemption is granted, subject to all just exceptions.
3. Appellant shall file legible and clear copies of the documents, before the next date of hearing.
4. Accordingly, the present application is disposed of.

I.A. No. 38101/2024 (Application for condonation of delay in filing the Appeal)

5. The present is an application under Section 117A (4) of Patents Act, 1970 and Section 151 CPC seeking condonation of delay of 30 days in filing the present appeal.
6. Issue notice.
7. Notice is accepted by learned counsel appearing for the respondent.
8. Considering the submissions made in the present application, the delay of 30 days in filing the present appeal is condoned.
9. Accordingly, the present application is accordingly disposed of.

C.A.(COMM.IPD-PAT) 69/2024

10. The present appeal has been filed under Section 117A of the Patents Act, 1970 assailing the order dated 31st March, 2024 passed by the Deputy Controller of Patents and Designs, under Section 15 of the Patents Act in *Indian Patent Application No. 202117002258*.
11. Issue notice.
12. Notice is accepted by learned counsel appearing for the respondent.
13. Let reply be filed within a period of four weeks. Rejoinder thereto, if any, be filed within a period of two weeks, thereafter.
14. List on 17th December, 2024.

MINI PUSHKARNA, J

SEPTEMBER 2, 2024/c