
(2021) 01 IPAB CK 0021

In the Intellectual Property Appellate Board

Case No : Original Application No. 1 Of 2020/PT/CHN

Torrent Pharmaceuticals Ltd.

APPELLANT

Vs

Novartis Ag

RESPONDENT

Date of Decision : 18-01-2021

Acts Referred:

Patent Act, 1970 — Section 64

Citation : (2021) 01 IPAB CK 0021

Hon'ble Judges : B.P. Singh, Technical Member; Manmohan Singh, J

Bench : Division Bench

Advocate : H. Rajeshwari, Hemant Singh

Final Decision : Dismissed

Judgement

1. The petitioner has filed the revocation petition under Section 64 of the Patent Act, 1970 (39 of 1970) for revocation of Indian Patent No.229051.

2. The present petition for revocation is listed for final argument. The learned counsel appearing on behalf of the petitioner states that after filing the

present revocation petition, the respondent No.1 filed the suit for infringement of the subject patent in the Honâ??ble High Court of Delhi at New

Delhi being Suit No.CS (COMM) 425 of 2020. The learned counsel states that the time for filing the written synopsis and counter affidavit has been

given by the Honâ??ble High Court of Delhi in the said suit. The learned counsel for the petitioner wishes to withdraw the present petition.

3. Mr. Hemant Singh, the learned counsel for the Respondent No.1 submits that the revocation petition is ripe for arguments at IPAB and withdrawal

of this application at this point of time may be seen as an attempt to prolong the matter. He, however did not object the withdrawal of this revocation

petition and state that he will make an appropriate submission before the Honâ??

ble High Court. Under these circumstances, the present petitioner is dismissed as withdrawn. No costs.