

THE PATENTS ACT, 1970
(Amended by the Patents Act 2005)

&

THE PATENTS RULES, 2003
(Amended by the Patents Rules 2016)

In the matter of patent application no. 202118039376 filed on 31/08/2021

And

In the matter of opposition by way of representation under Section 25(1) of the Patents Act 1970 as amended by the Patents (Amendment) Act 2005

And

In the matter of Rule 55 of the Patents Rules, 2003 as amended by the Patents (Amendment) Rules, 2016.

Applicant

ELI LILLY AND COMPANY

Lilly Corporate Center Indianapolis, Indiana 46285, USA

Opponent

Dr. C. Manivannan, an Indian citizen, resident of 3A, Chinna Andaar Street, Kulithalai (TK),
Karur (Dt), Tamil Nadu - 639104, India

Date of Hearing (Pre-Grant Opposition): 11th December 2024

Hearing attended by the following:

Applicant ----- Mr. Sachin Bindal (IN/PA-2560)

Opponent ----- Not Interested

A representation by way of pre-grant opposition under section 25(1) of the Patents Act, 1970 was filed by 'Dr. C. Manivannan' (hereinafter called as Opponent) on 18/01/2024.

The notice of opposition was taken on record and the copy of said pre-grant opposition was forwarded under rule 55(3) to the applicant on 13/03/2024 with a copy to the Opponent.

The applicant's agent filed the reply statement under rule 55(4) on 30/05/2018.

The hearing under Section 25(1) (pre-grant opposition) and Section 14 (examination-related issues) was initially scheduled for 22/07/2024 and a notice of this hearing was sent to both parties on 07/06/2024.

The applicant filed for an adjournment under Rule 129A on 16/07/2024 and 23/08/2024. The hearing was rescheduled to 11/12/2024, considering the both adjournment requests and a revised notice of the rescheduled hearing was sent to both parties on 26/11/2024.

The Applicant's agent attended the hearing through a video conference scheduled on 11/12/2024. However, the Opponent did not attend the hearing.

The applicant's agent filed the written submissions pursuant to the hearing on 11/12/2024. After considering all the facts, submissions on the record by both the parties and the arguments of the Applicant's agent during the hearing and furthermore, the opponent notified the controller via email on 09/12/2024 that they no longer wish to pursue the opposition, I conclude that the Opponent had failed to establish the grounds of Section 25(1) (e), 25(1)(f) and 25(1)(g) and of the pre-grant opposition representation as mentioned above. Hence, the pre-grant opposition U/S 25(1) filed against the application no. 202118039376 is dismissed.

Further, the objections raised in the hearing notice are complied by the applicant in the written submissions dated 26/12/2024.

Therefore, it is hereby decided to proceed for the grant of a patent for application no. 202118039376 with 12 claims filed on 24/12/2024.

Dated this 27th March, 2025.

(G Nagendra)

Assistant Controller of Patents & Designs

Decision for under section 14 hearing:

The hearing was conducted on 11/12/2024 and the Applicant's agent submitted the written Submissions on 24/12/2024 along with claims 1-12. After considering the submissions made by the agent and the documents available on record, I am of the opinion that the applicant has complied with all the requirements as per the Patents Act, of 1970. Hence, the instant application is allowed to proceed for the grant of a patent right. Therefore, I hereby decide to proceed with the grant of a patent for application no. 202118039376 with amended claims 1-12 filed on 24/12/2024.

Dated this 27th March, 2025.

(G Nagendra)
Assistant Controller of Patents & Design