



2025:DHC:8545-DB



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

+ **LPA 442/2025**

ZERIA PHARMACEUTICAL CO LTDAppellant

Through: Mr. Peeyoosh Kalra, Mr.
Debashish Banerjee, Ms. Vaishali Joshi &
Mr. Ankush Verma, Advs.

versus

THE CONTROLLER OF PATENTSRespondent

Through: Ms. Pratima N Lakra, CGSC
with Mr. Shailendra Kumar Mishra, Mr.
Chandan Prajapati, Ms. Kanchan Shakya,
Mr. Shivansh Bansal, Mr. Priyam Sharma,
Advs.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER (ORAL)

% **23.09.2025**

C.HARI SHANKAR, J.

1. As the patent of the appellant has expired during the pendency of the appeal, the appellant submits that the cause of action in this appeal does not survive for further consideration.

2. Accordingly, this appeal is disposed of as having become infructuous.



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3. However, this shall not be treated as an affirmation of the views expressed by the learned Single Judge in the judgment under challenge. The question of law referred in this appeal is left open.

C.HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

SEPTEMBER 23, 2025/rjd