

IN THE MATTER OF
THE PATENTS ACT, 1970
&
THE PATENTS RULES, 2003
[AS AMENDED]

AND

IN THE MATTER OF
INDIAN PATENT APPLICATION NUMBERED 1579/MUM/2011

DATED May 26, 2011

IN THE NAME OF
Avaya Inc.

PETITION UNDER RULE 137

Humble Petition of the Applicant, the above named

MOST RESPECTFULLY SHEWETH:

1. That we are a foreign based company and hence we are not directly filing the application in India;
2. That we are engaging Patent Agent Firm to represent us in filing and prosecuting patent application in India;
3. That our Indian Agents have filed an application at the Indian Patent Office on May 26, 2011.
4. That we are filing corresponding applications in various foreign countries through various Agents in those countries;
5. That some countries delay the process of disclosing the information relating to foreign filing particulars and it requires time in receiving and forwarding the information to the Indian Agents by the relevant Agents involved in the corresponding countries;
6. That an irregularity is thus occurred in furnishing details of corresponding applications;
7. That this irregularity is due to the time constraint to obtain the corresponding foreign filing particulars from various countries and forward it to India by various foreign Agents involved;

8. That our Indian Agents submitted the same in a consolidated form at the Patent Office and that there has been no malafide intention to comply with the requirement of Section-8.
9. That there has been no wanton laches from the part of your petitioners complying with the requirement;
10. As this delay does not cause any prejudice to anyone it would be expedient in the interest of justice to condone the same.

We, therefore, humbly pray that the irregularity in submitting the details of the corresponding applications may be condoned.

For this act of kindness, your petitioners shall ever be grateful.

Dated this the 7th Day of November, 2020

Manisha Singh
Agent for the Applicant [IN/PA-740]
LEXORBIS
/Digitally Signed/

To
The Controller of Patents
The Patent Office Branch
Mumbai