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संदर्भ सं. / Ref. No:
POC/Application No /201821012075

प्रेषण दिनांक / Date of Dispatch:
25/04/2023

सेवा मे, / To

आवेदक /Applicant:
AMI ORGANICS PVT. LTD.

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विपक्षी /Opponent:
NA

ई-मेल प्रेषित /Email Sent to:
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विषय: आवेदन संख्या 201821012075 के संदर्भ में सुनवाई नोटिस
Sub: Hearing Notice in Reference of Application No. 201821012075

सुनवाई स्थल / Hearing Location: Through Video Conferencing
सुनवाई दिनांक व समय / Hearing Date & Time: 12/05/2023 / 12:00 HRS (IST) for (30 Mins)
नियंत्रक ईमेल /Controller's Email: spsubramaniyan@nic.in

आपके द्वारा प्रथम परीक्षण रिपोर्ट/ अनुवर्ती परीक्षण रिपोर्ट के उत्तर के संदर्भ में, दिनांक 12/05/2023 को 12:00 HRS (IST) for (30 Mins) बजे विडियो कॉन्फ्रेंसिंग मामले में Hearing U/S (14) सुनवाई तय की गयी है। अतः, आपको उपरोक्त दिनांक व समय पर नियंत्रक के समक्ष सुनवाई हेतु उपस्थित होना है।

With reference to your reply to the First examination Report/Subsequent Examination Report, a Hearing U/S (14) hearing has been scheduled in the matter through Video Conferencing on 12/05/2023 at 12:00 HRS (IST) for (30 Mins) . You are therefore, required to appear before the Controller for the hearing on said date and time.

इस आवेदन को पेटेंट अनुदान हेतु क्रम में लाने की अंतिम तिथि से पूर्व / अंतिम तिथि के उपरांत, निम्नलिखित आपत्तियां अभी भी शेष हैं।

The following objection(s) are still outstanding before / after the expiry of last date for putting this application in order for grant of patent.

Dr. Subramaniyan S P
Deputy Controller of Patents & Designs

*दिनांक/समय, स्थल, स्थिति व सुनवाई के बारे में अन्य विवरण के लिए: कृपया निम्नलिखित यूआरएल देखें <http://ipindiaservices.gov.in/PatentCauseList>
Please refer to the following URL for: Date/Time, Venue, Status and other details about the Hearing
<http://ipindiaservices.gov.in/PatentCauseList>

टिप्पणी:- विडियो कॉन्फ्रेंसिंग के माध्यम से सुनवाई के समय के संबंध में मेल अलग से भेजी जाएगी।

Note:- Separate mail will be sent regarding the time of the Hearing through Video Conference.

* Hearing Objections are attached.

Objections

Invention u/s 2(1)(ja)

1. The applicant in his argument pointed out the difference in the temperature of the alkylation step of 1-benzylpiperidine-4-one between the present application and D 1. In the present application, the step of alkylation of 1-benzylpiperidine-4-one is carried out at a temperature of 60 °C to 80 °C whereas in D 1 the step of alkylation of N-benzylpiperidinone is carried out at a temperature of 20-30°C. But, the said difference in temperature did not produce any special technical effect over the prior art. Further, such a difference in the reaction parameter can be seen as a minor modification that can be achieved by the skilled person through routine experimental work without exercising any inventive skill. Hence, the objection raised in the FER u/s 2(1)(j) and 2(1)(ja) of the Patents Act, 1970 is still sustained.

Non-Patentability u/s 3

1. The objection raised u/s 3(d) of the Patents Act, 1970 is still sustained because the subject matter of amended claims 1-15 is related to a process for preparing 4-methylene piperidine hydrochloride which does not result in a new product or employs at least one new reactant. Therefore, the said claims are not allowable.

Scope

1. Features of Claim 15 beyond the scope of claim 1.

Sufficiency of Disclosure u/s 10 (4)

1. The applicant fails to comply with section 10(4)(c) of the patents act 1970 because the invention in principle claim 1 is not sufficiently disclosed. Various necessary parameters of the reaction such as temperature, time, amount and type of catalyst and solvent, etc. should be clearly defined as well as brought out in the main claim for a better understanding of the scope of the present application.