THE PATENTS ACT, 1970
(**AS AMENDED)**

&

THE PATENTS RULES,2003

(**AS AMENDED**)

SECTION 15 & 25(1)

In the matter of patent application no. **201721002861** filed on 25/01/2017

and

In the matter of opposition by way of representation under Section25(1) of the Patents Act1970 as amended by the Patents(Amendment) Act,2005

and

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

Applicant:

STERLITE TECHNOLOGIES LIMITED
CAPITAL CYBERSCAPE, 15th and 16th,
sector 59, Gurugram, Haryana 122101

Opponent:

HFCL Limited,
8 Electronics Complex, Chambaghat, Solan,
Himachal Pradesh 173 213, India

Date of Hearing(Pre-Grant Opposition):**04th November,2024**

Hearing attended by following:

Applicant---------- 1.Ms. ARCHANA SHANKER (IN/PA-149)

2. Mr. KUMAR ABHISHEK (IN/PA-4714)

3. Ms. NIHARIKA UDAINIYA (IN/PA-4673)

of ANAND & ANAND Advocates.

Opponent -------- 1.Mr. Mitra Amitavo ((IN/PA-2620)

of Saikrishna & Associates.

Facts of the Case

The instant application as-filed contains claims 1 to 8, was examined under section 12 of the Patents Act, 1970 (as amended) and First Examination Report (FER) was issued on 27/07/2021. The agent for the applicant had filed reply to the FER on 27/01/2022 along with the claims 1 to 8 as follows:

1. An optical fiber (100) comprising:

a core region (102) defined by a region around a central longitudinal axis (110) of the optical fiber (100);

a cladding region (104) surrounding the core region (102);

a first coating layer (106) surrounding the cladding region (104), wherein the first coating layer (106) is made of UV curable acrylates, characterized in that the first coating layer (106) has a first diameter in a range of 400 µm - 500 µm and wherein the first coating layer (106) has a modulus in a range of 0.3 MPa - 3 MPa.;

and a second coating layer (108) surrounding the first coating layer (106), wherein the second coating layer (108) is made of UV curable acrylates, wherein the second coating layer (108) has a second diameter in a range of 550 µm - 850 µm, wherein the second coating layer (108) has a modulus of greater than 1.2 GPa.

2. The optical fiber (100) as claimed in claim 1, wherein the optical fiber (100) is a bend insensitive fiber.

3. The optical fiber (100) as claimed in claim 1, wherein the optical fiber (100) meets requirements of ITU-T G657 A2.

4. The optical fiber (100) as claimed in claim 1, wherein the optical fiber(100) meets requirements of ITU-T G657 B3.

5. The optical fiber (100) as claimed in claim 1, wherein the optical fiber (100) complies with IEC 60794-2 standard.

6. The optical fiber (100) as claimed in claim 1, wherein the cladding region (104) has a diameter in a range of 124 µm - 126 µm.

7. The optical fiber (100) as claimed in claim 1, wherein the optical fiber (100) has a cladding non-circularity parameter of less than or equal to 1 %.

8. The optical fiber (100) as claimed in claim 1, wherein the optical fiber (100) has a core concentricity error of less than or equal to 0.5 µm

OppositionNotice

A representation by way of Pre-Grant opposition under section 25(1) of the Patents Actas amended by the Patents (Amendment) Act, 2005 was filed by **'HFCL Limited'** here in after called as **Opponent** on 02/06/2023 .

The opponent raised the following grounds of opposition in their written Representation:

a. **Section 25(1)(b):** that the invention so far as claimed in any claim of the complete specification has been published before the priority date of the claim –

i. in any specification filed in pursuance of an application for a patent made in India on or after the 1st day of January 1912; or

ii. in India or elsewhere, in any other document;

Provided that the ground specified in sub-clause (ii) shall not be available where such publication does not constitute an anticipation of the invention by virtue of subsection (2) or subsection (3) of section 29

b. **Section 25(1)(e)**: that the invention so far as claimed in any claim of the complete specification is obvious and clearly does not involve any inventive step, having regard to the matter published as mentioned in clause (b) or having to regard to what was used in India before the priority date of the applicant's claim

c. **Section 25(1)(f)**: that the subject of any claim of the complete specification is not an invention within the meaning of this Act, or is not patentable under this Act

d. **Section 25(1)(g)** : that the complete specification does not sufficiently and clearly describe the invention or the method by which it is to be performed

The notice of opposition was taken on record and the copy of said pre-grant representation was forwarded under Rule 55(3) to the applicant with a copy to the Opponent on 19/06/2023.

The applicant's agent filed reply statement and Evidence under Rule 55(4) on 19/09/2023 .

A **hearing** under **Rule 55(5)** was scheduled on 04/10/2024 at 11 AM and a copy of the hearing notice was sent to both the parties on 09/08/2024.

Opponent vide letter dated 30/09/2024 Requested for adjournment of hearing under rule 129A and the same has been allowed under rule 129(A) and hearing adjourned to 04/11/2024.

Both the Parties attended the video conferencing hearing as scheduled on 04/11/2024.

And both the Parties had submitted written submissions pursuant to hearing on 19/11/2024**.**

WRITTEN SUBMISSIONS OF ARGUMENTS OF THE OPPONENT

Scope of claim 1

1. The Opponent understands that pursuant to the hearing proceedings, in accordance to the directions of the Learned Controller, which was accepted by the Applicant, the phrase "…*and wherein the range of diameter and a type of material used for the first coating layer and the second coating layer provides strength greater than or equal to 5 GPa to the optical fiber*," that appears in the original as-filed claim 1 as a limiting feature of the scope of claim 1, which was deleted by the Applicant in FER reply, has now been reinstated/ reintroduced.

Claim amendments

1. The Opponent also understands that upon directions by the Learned Controller, the Applicant has agreed to delete pending claims 3-5.

INSUFFICIENCY & LACK OF ENABLEMENT:

The Opponent argues that claim 1's open-ended range for the strength of the optical fiber (≥ 5 GPa) is insufficiently defined and lacks an upper limit. This lack of an upper bound leads to uncertainty regarding the boundaries of the claim, making it impossible for a skilled person to understand the scope of the invention or determine where it ends. The Opponent also questions whether the invention can be practically worked, especially in terms of whether materials with such high strength (e.g., 20 GPa) exist or can be manufactured, and whether the UV acrylate material, as described in claim 1, can provide the required strength.

The Opponent claims that the Applicant has not disclosed the best mode of performing the invention as required under Section 10(4)(b). The specification in paragraph [0039] presents three embodiments but only specifies a minimum strength of ≥ 5 GPa, without offering concrete guidance on the preferred strength or further defining what constitutes the "best" embodiment.

The Opponent emphasizes that the invention's scope and technical details cannot be considered common knowledge, as the subject matter pertains to optical fibers and materials science, not a well-known field like chemistry. The Opponent further asserts that the Applicant's reliance on case law involving "common knowledge" is not applicable here because the technology is specialized, and there are no clear examples in the specification.

The Opponent contends that the Applicant's statement regarding the **clarity** of the specification, particularly when read in conjunction with figures 1A-1B, lacks proper **substantiation**. The Applicant has not sufficiently demonstrated how these figures or the specification provide enough guidance to allow

the invention to be practiced without undue trial and error.

LACK OF INVENTIVE STEP (OBVIOUSNESS):

The Opponent's objection on the **lack of inventive step** of the impugned '861 application focuses on the assertion that the claimed optical fiber is obvious in light of the teachings from prior art, particularly **Bickham et al. (US 7,272,289)** and **D1**. The Opponent argues that a skilled person in the art would easily arrive at the invention disclosed in the application based on routine experimentation or modifications of the prior art, thus rendering the claimed invention obvious. The objection also highlights that the Applicant has failed to provide experimental data or working examples to substantiate the claimed advantages, particularly in terms of the performance of the optical fiber.

Opponent submitted that D2 in the 'Background" Section, clearly refers to US 7,272,289 (Bickham et al), which discloses "*…**an optical fiber possessing** (i) **a primary coating having Young's modulus of less than 1.0 Mpa**… and (ii) **a secondary coating having a Young's modulus of greater than 1,200 Mpa***."

The Opponent points out that the optical fiber described in the **'861 application** shares significant features with the optical fiber disclosed in **Bickham et al.**, particularly the **primary and secondary coating layers**, their respective **Young's modulus values**, and the **glass core and cladding structure**. The Young's modulus of the **first layer** (0.3-3 MPa in the '861 application) and the **second layer** (≥ 1.2 GPa in the '861 application) closely matches the Young's modulus values disclosed in Bickham et al. (primary layer modulus < 1 MPa and secondary layer modulus > 1.2 GPa).

The Opponent argues that the **'861 application** is merely a **modification** of Bickham et al., which can be arrived at by routine experimentation, thus lacking an inventive step.

The Opponent argues that **D1** discloses similar features to the '861 application, particularly with respect to the **diameters of the first and second coating layers** and the **Young's modulus values** of the coatings. D1 also mentions the use of **UV curable resins** for the coatings, which overlaps with the material choice in the '861 application. The Opponent asserts that the Applicant has misinterpreted D1, and based on these overlapping features, the '861 application does not demonstrate any inventive step.

The Opponent's objection to the **lack of inventive step** largely hinges on the similarity of the '861 application to the teachings of **Bickham et al.** and **D1**, and the argument that a skilled person would have arrived at the invention through routine modification of the prior art.

WRITTEN SUBMISSIONS OF ARGUMENTS OF THE APPLICANT

Scope of claim 1

The Applicant highlighted that the amendments were carried out to overcome the objection raised in the First Examination Report (on clarity).

The Applicant further highlighted the fact that objecting amendments under section 59 is not a ground for pre-grant opposition. Thus, the Opponent's objection regarding section 59 should not be considered.

However, the Ld. Controller was of the view that the claims should be amended to bring back the feature "*wherein the range of diameter and a type of material used for the first coating layer (106) and the second coating layer (108) provide strength greater than or equal to 5 GPa to the optical fiber (100)*" claimed in original claim 1. The Applicant is enclosing the revised claims by re-introducing the feature in claim 1 that was deleted during response to FER.

GROUND -INSUFFICIENCY (U/S 25(1)(g)):

Applicant submits that the specification clearly describes the invention, especially the technical problem, structure, and advantages of the optical fiber. Paragraphs 33-35 and 36 of the specification describe the layered structure and specific advantages of each layer, which a person of ordinary skill in the Art can understand and implement. Furthermore, the range of parameters like diameter and Young's modulus is provided in such a way that a person skilled in the art can implement these features in a workable manner.

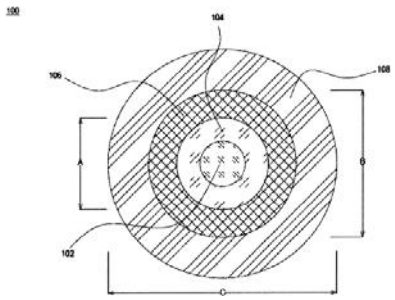
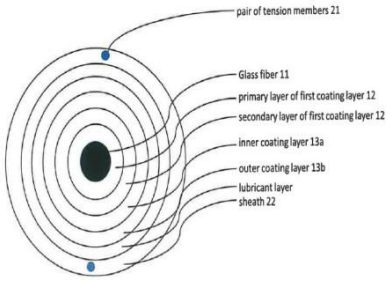
Applicant submits that the specification adheres to established standards like the ITU-T G657 standard, which defines technical properties such as bending loss, attenuation, and dispersion. These standards ensure that the optical fiber is workable and complies with established norms. Therefore, the claim that the invention is unworkable is unsupported.

Applicant submits that the specification clearly describes the advantages of the optical fiber, including the tensile strength greater than 5 GPa. Paragraphs 38 and 36 of the specification describe the advantages of the fiber and the characteristics of the layers.

GROUND-NOVELTY (U/S 25(1)(b):

Applicant submits a tabular comparison of the features of D1 and present invention IN'861 is presented below to establish how present invention is novel over D1:

	Present Invention (IN'861)	**US'371(D1)**
DIFFERENCES IN CONSTRUCTION	The optical fiber of IN'861 has exactly two coating layers (first and second coating layer 106, 108). The optical fiber of IN'861 does not require any sheath material because of the unique design of the two coating layers.	Glass fiber of D1 is protected by **six or more layers** 1. Primary layer of first coating layer 12 2. Secondary layer of first coating layer 12 3. Inner coating layer 13a of second coating layer 4. Outer layer 13b of second coating layer (outer layer may have more than two layers, *col. 3, line 63-65 of D1*)

		5. Lubricant layer 6. Sheath 22 with tension members 21 
DIFFERENCES IN FIRST LAYER	Diameter of first coating layer- 400 µm - 500 µm Modulus in the range 0.3MPa – 3MPa	First coating layer **has a primary and secondary layer**. Outer diameter: 125-500µm Modulus of primary layer- <3MPa Modulus of Secondary layer - >500MPa
DIFFERENCES IN SECOND LAYER	Structure of second coating layer is different from D1. <u>There is no such inner and outer coating layer in present invention.</u> The second coating layer (108) has a second diameter in a range of 550 µm - 850 µm, wherein the second coating layer (108) has a modulus of greater than 1.2 Gpa	The second layer has **an inner coating layer 13a and an outer coating layer 13b**. The outer diameter of second coating layer is 300-1000µm and young's modulus is between 50 MPa and 1500 Mpa.
APPLICATION	Directly deployed as an optical fiber cable	Used in cable and has an obsolete design of a thick and inflexible optical fiber.

Applicant further submits that D1 complies with ITU-T G652D standard and the present invention complies with ITU-T G.657A2 standard. These standards are designed by International telecommunication Union and a person skilled in the art is aware of the difference between the standard recommendations of ITU-T G652D and ITU-TG657A2.To elaborate, the standard G652 lays down the "Characteristics of a single-mode optical fibre and cable" while the standard G567 lays down the requirements of a "Characteristics of a **bending-loss insensitive** single mode optical fibre and cable for the access network". Thus, it is clear even from the standard that the optical fibers disclosed by D1 and the present application are completely different.

GROUND-INVENTIVE STEP (Section 25(1)(e)):
To allege obviousness, the Opponent has mainly relied on two documents namely:
1. **US 8,442,371B2/D1,**
2. **US9,244,220B2/D2 (for dependent claims 2-8)**

Teachings of US'371 (D1)
1. D1 relates to a tight buffered optical fiber that's objective is to provide an optical fiber with reduced transmission loss by controlling the pull out forces between multiple layers of optical fiber.
2. Therefore, D1 proposes an optical fiber with multiple coating layers (six or more layers) that provides flexible optical fiber.
3. As provided in Section E.1, par. 35 under the heading "Novelty", the Applicant has clearly provided the differentiating features of D1 and present invention.

4. It is clear from the disclosure of D1 and table 1 (as provided above) that D1 teaches six or more layers, while claim 1 of IN'861 recites exactly two layers.

5. The objective of claim 1 of IN'861 is to provide flexible optical fiber, however, D1 teaches the use of tensile members 21 (see col.3, lines 45-50 of D1) which would make the optical fiber of D1 less flexible. Thus, cable of D1 is clearly not at all concerned about flexibility rather discloses bulky inflexible cable.
6. Thus, it is submitted that D1 is not relevant to claim 1 of present application IN'861.
7. Further, D1 does not address the same technical problem and object of IN'2861 and therefore a person skilled in the art would not consider D1 to arrive at present invention.

8. Hence, it can be said D1 not only fails to disclose the claimed features of IN'2861 but also teaches away from the present subject matter.

9. A person skilled in the art would not be motivated to arrive at the optical fiber of claim 1 having two coating layer by following the teaching of D1 because of following reasons:

a. D1 teaches using six layers while claim 1 teaches using only two layers.
Thus, D1 teaches away from the claim 1.
In the matter of "***Mahesh Gupta vs Assistant Controller of Patents and Designs 2024: DHC: 4457*** it was held in par. 5.9:
5.9. The differences from the cited prior art D4 & D5 and the relevant common general knowledge of the person skilled in the art at the priority date, a solution to the said problems would not magically appear to a

PHOSITA without the requisite inventive ingenuity. It is well-settled that a prior art reference must be considered in its entirety, as a whole, including portions that would lead/teach away from the claimed invention. A prior art reference teaches away when "a person of ordinary skill in the art, upon reading the reference, would be discouraged from following the path set out in the reference, or would be led in a direction divergent from the path that was taken by the Applicant".

b. D1 uses tensile members which would make the fiber inflexible while claim 1 teaches flexible optical fiber.
10. Thus, the claim 1 is inventive over D1.

2. Teachings of US9244220(D2):

1. D2 cannot be considered for independent claim 1. Although to allege obviousness, Mosaicking of the prior arts is permissible, the opponent has not relied on a combination of D1 and D2 for alleging the obviousness of claim 1.
2. Even assuming, without admitting, and in absence of any pleadings that D2 can be relied for assessing the inventiveness of claim 1, it submitted that D2 does not disclose the features of claim 1 even when combined with D1.
3. The objective of D2 is to reduce stress induced micro bending in optical fiber whereas the objective of claim 1 is to provide a compact and flexible optical fiber with required mechanical characteristics.

3 Why D1 and D2 cannot be combined
D1 teaches away from the present invention
Further, D1 teaches away from the present invention *(refer to par. 18 of affidavit of Dr. Pandey)* due to following reasons:
• D1 teaches six or more layers, while claim 1 recites exactly two layers;
• Objective of claim 1 is to provide flexible optical fiber;
• D1 however teaches use of tensile members 21 (col. 3, lines 45-50).
• Thus, cable of D1 is clearly not flexible and D1 is not at all concerned about flexibility rather discloses bulky inflexible cable.
• Sheathing is required for the optical fiber disclosed in D1, however, the optical fiber of the instant invention is directly deployed.

Thus, the Applicant submits that the two prior arts D1 and D2 cannot be combined to arrive at the subject matter of claim 1 of present subject matter because the two prior arts teach away from the present invention IN'861.
There is a clear **teaching away** from combining D1 with D2 to arrive at the present invention, as D1 discloses an optical fiber that is clearly not flexible and not at all concerned about flexibility and bend insensitivity rather discloses bulky inflexible cable. Further, as discussed above, D2 discloses an entirely different optical fiber, therefore, D1 cannot be combined with D2.

GROUND-NON-PATENTABILITY (Section 25(1)(f)):
During the hearing, the Opponent withdrew their objection raised under section 25(1)(f). Therefore, the Applicant has not presented their submissions with respect to section 25(1)(f).

Decision

After considering all the facts, submissions on the record and the arguments of the both the parties during the hearing, my observations are as follows:

The present invention relates to an optical fiber cable for in-house applications. The present invention aims to provide a dual coated optical fiber having high strength and flexibility ,the present invention provides an optical fiber having required mechanical and tensile strength and the optical fiber in the present invention has dual coatings thereby facilitating direct installation in-house or harsh environments.

Scope of claim 1: The applicant has re-introduced the feature in claim 1 "wherein the range of diameter and a type of material used for the first coating layer (106) and the second coating layer (108) provide strength greater than or equal to 5 GPa to the optical fiber (100)" that was deleted during response to FER is in the written submissions and submitted the revised Independent claim1 as:

1. An optical fiber (100) comprising:

   a core region (102) defined by a region around a central longitudinal axis (110) of the optical fiber (100);

   a cladding region (104) surrounding the core region (102);

   a first coating layer (106) surrounding the cladding region (104), wherein the first coating layer (106) is made of UV curable acrylates, characterized in that the first coating layer (106) has a first diameter in a range of 400 µm - 500 µm and wherein the first coating layer (106) has a modulus in a range of 0.3 MPa - 3 MPa.; and

   a second coating layer (108) surrounding the first coating layer (106), wherein the second coating layer (108) is made of UV curable acrylates, wherein the second coating layer (108) has a second diameter in a range of 550 µm - 850 µm, wherein the second coating layer (108) has a modulus of greater than 1.2 GPa and wherein the range of diameter and a type of material used for the first coating layer (106) and the second coating layer (108) provides strength greater than or equal to 5 GPa to the optical fiber.

Therefore in view of the above amendment , the claims 1 is within the scope and the opponent objection regarding section 59 is dismissed .

List of citations in the notice of Opposition:
D1: US 8,442,371 B2
D2: US 9,244,220B2

GROUNDI:SECTION25(1)(b)-Lackof Novelty/Anticipation

D1 no where discloses the following features of claim 1: the first coating layer (106) has a first diameter in a range of 400 µm - 500 µm and wherein the first coating layer (106) has a modulus in a range of 0.3 MPa - 3 MPa.; and a second coating layer (108) surrounding the first coating layer (106), wherein the second coating layer (108) is made of UV curable acrylates, wherein the second coating layer (108) has a second diameter in a range of 550 µm - 850 µm, wherein the second coating layer (108) has a modulus of greater than 1.2 GPa and wherein the range of diameter and a type of material used for the first coating layer and the second coating layer provides strength greater than or equal to 5GPa to the optical fiber.

As all the features of claims of the present Application are not disclosed in D1,therefore claims of the present Application are novel over disclosure of D1.Accordingly,Claims1-5 are Novel.

Therefore the opposition ground I of lack of Novelty/Anticipation under Section 25(1)(b) is dismissed.

GROUNDII:SECTION25(1)(e):Obviousness/Lack of InventiveStep:

D1 discloses a tight buffered optical fiber that's objective is to provide an optical fiber with reduced transmission loss by controlling the pull out forces between multiple layers of optical fiber.

D1 teaches six or more layers, while claim 1 of the alleged invention recites exactly two layers. D2 provides an improved coating system that provides protection against stress induced micro bending losses where as the objective of alledgev invention is to provide flexibility and compactness in an optical fibre
Therefore, a person skilled in the art will not be motivated to arrive at the claimed invention with the help of D2. The claimed invention is inventive over cited documents D1 and D2 and involves an inventive step underSection2(1)(ja)of the Act. Accordingly, Claims 1-5 posses Inventivestep.

Therefore the opposition ground II of lack of Inventive step under Section 25(1)(e) is Dismissed.

GROUND III:SECTION25(1)(f):NotPatentable/Not an Invention

The Opponent withdrew their objection raised under section 25(1)(f) during the hearing .

GROUND IV:SECTION25(1)(g):Insufficiency of Disclosure

Its observed that complete specification sufficiently discloses the invention ,the objection of the Opponent relates to sufficiency can be found in paragraphs 2-3 clearly describes the technical problem faced by the conventional optical fibers ,also the paragraphs 33-35 of the specification explain the layered structure of the optical fiber as mentioned by the applicant

Therefore,the disclosure made in the specification fulfills the requirement of sufficiency of complete specification of the Application.

Therefore the opposition ground IV of insufficiency of disclosure under Section 25(1)(g) is dismissed.

The Applicant post-hearing submitted the final amended claims1-5.

1. An optical fiber (100) comprising:

a core region (102) defined by a region around a central longitudinal axis (110) of the optical fiber (100);

a cladding region (104) surrounding the core region (102);

a first coating layer (106) surrounding the cladding region (104), wherein the first coating layer (106) is made of UV curable acrylates, characterized in that the first coating layer (106) has a first diameter in a range of 400 µm - 500 µm and wherein the first coating layer (106) has a modulus in a range of 0.3 MPa - 3 MPa.; and

a second coating layer (108) surrounding the first coating layer (106), wherein the second coating layer (108) is made of UV curable acrylates, wherein the second coating layer (108) has a second diameter in a range of 550 µm - 850 µm, wherein the second coating layer (108) has a modulus of greater than 1.2 GPa and wherein the range of diameter and a type of material used for the first coating layer (106) and the second coating layer (108) provides strength greater than or equal to 5 GPa to the optical fiber.

2. The optical fiber (100) as claimed in claim 1, wherein the optical fiber (100) is a bend insensitive fiber. 3. The optical fiber (100) as claimed in claim 1, wherein the cladding region (104) has a diameter in a range of 124 µm - 126 µm.

4. The optical fiber (100) as claimed in claim 1, wherein the optical fiber (100) has a cladding non-circularity parameter of less than or equal to 1 %.

5. The optical fiber (100) as claimed in claim 1, wherein the optical fiber (100) has a core concentricity error of less than or equal to 0.5 µm.

The above mentioned claims 1-5 are allowed and are considered to be the final claims for grant of the application.

After considering all the facts, submissions on the record by both the parties and the arguments of the both the parties during the hearing, I conclude that I am in agreement with the reasoning provided by theApplicant's Counsel for the respective opposition grounds. The claims of the application are possessing Novelty and Inventive step over the Opponent's citations.

The Opponent had failed to establish the grounds of Section 25(1)(b), 25(1)(e), 25(1)(f),and25(1)(g)of the pre-grant opposition representation as mentioned above.

All the grounds of thePre-Grant Opposition notice are dismissed.

Hearing under Section 14:

In view of the outstanding objections after the response to FER was received, a hearing was offered under section 14 of the Patents Act on 04th November,2024 which was attended by the applicant agent. The hearing notice included the following objections.

Clarity and Conciseness

1. 1. The requirement mentioned in claims 3-6 shall be clearly defined in the said claims. It is not clear which technical feature of the standard it should comply with. With this lack of information, the person skilled in the art of optical fibers would not be able to reproduce the invention as disclosed.

2. Amendment of the claims are not allowed u/s 59 of the Patents Act ,as the amended claims are beoynd the scope of the originally filed claims.

Formal Requirement(s)

1. 1. Applicant did not disclose the patent application (EP3355089A1) that has been filed outside India which is a violation of section 8(1) and rule 12(1) of The Patent Act.

2. Regarding filed GPA, GPA clearly stating the particular matter or proceeding for which the authorization is made shall be filed in the prescribed manner along with prescribed stamp duty.

3. In case the applicant decides to amend the claims subsequent to this report, the same shall be drafted afresh. Please indicate in the response communication the support for the claims in the original specification, as required u/s 10(4) of the Act. Care shall be taken that requirement Section 59(1) of the Act is also met .

Other Requirement(s)

1.1. It shall be noted that the person who will (if) attend the hearing before the Controller in respect of this application shall be authorized by the applicant and should attend along with PA/GPA under the Indian Stamp dutyAct, 1899(as amended).

2. The applicant/Opponent shall, as soon as possible, notify the Controller whether he will attend the hearing u/r 28(4) of The Patents Rules 2003(as amended).

3. The applicant should also note that with reference to your reply to the First Examination Report/Subsequent Examination Report, a Hearing U/S (14) hearing also has been scheduled in the matter through Video Conferencing on 04/11/2024 at 02:00 PM for (1h) with objections attached along with this Hearing Notice [the u/s 14 hearing will be taken after completion of pre-grant hearing. You are, therefore, required to appear before the Controller for the hearing on said date and time.

The hearing was conducted on 04th November,2024 and Applicant's agent submitted the written submissions on 19th November,2024 along with amended claims 1 to 5.

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 Patents Act, 1970. Hence, the instant application is allowed to proceed for grant of a patent right.
Therefore, it is hereby decided to proceed for the grant of a patent for application no. **201721002861** with amended claims 1 to 5 filed on 19th November,2024.

Dated this 08th day of January,2025.

(SRINIVASARAO REESU)
Assistant Controller of Patents&Designs
The Patent Office,Chennai