

**BEFORE THE PLANT VARIETIES REGISTRY
AT NEW DELHI**

IN THE MATTER OF: Cancellation Application against registration of Application No. N19 OS19 10 252 for varietal denomination PAN 804 having registration number 51 of 2018 registered in favour of M/s. PAN Seeds Pvt. Ltd., (Registered Breeder).

IN THE MATTER OF: -

SEED ASSOCIATION OF BENGAL

..... Cancellation Applicant

-Versus-

M/S. PAN SEEDS PVT. LTD.,

..... Registered Breeder

For the Cancellation Applicant: Ms. Neeti Wilson, Advocate for M/s. Anand and Anand.

For Registered Breeder: Mr. Abhishek Saket, Advocate for M/s. Infini Juridique.

ORDER

The matter has been fixed for fixation of date for filing of evidence by the parties.

The Counsel for Cancellation Applicant states that her PV-33 is pending for inspection to obtain certified copy of DUS test report of PAN-804.



I am of the firm view that PV-33 has to be disposed of before the filing of evidence by the parties and adequate time ought to be granted from the date of disposal of PV-33 for filing of evidence.

The Counsel for Cancellation Applicant states that she will inspect the DUS test report of PAN-804 on 02.02.2023 and if PV-33 for obtaining certified copy of PAN-804 is filed by the Counsel for Cancellation Applicant the same will be disposed of by the Registry within two days of the receipt of the same.

Evidence has to be filed by Cancellation Applicant within 6 weeks from the date of receipt of the certified copy of DUS test report of PAN-804 if requested through PV-33 by Counsel for Cancellation Applicant and thereafter the Registered Breeder shall file their evidence within 6 weeks from the date of receipt of evidence of Cancellation Applicant. The evidence of Cancellation Applicant will be forwarded to the Registered Breeder by the Registry.

The date for final hearing will be informed to the parties later based on the above schedule.

Given under my hand and seal on this the 24th day of January, 2023

(D.K. Agarwal)
Registrar-General

