

# Facts case study examples

[Law](#), [Criminal Justice](#)



Monsanto Co. (MC) v. Coramandal Indag Products Ltd. (CIP)

MC had alleged violation of patent by CIP. The patent in question related to the CIP inventions titled Phytotoxic Compositions and Grass Selective Herbicide Compositions contained the active ingredient named Butachlor which was duly patented by the plaintiff appellant.

## **Procedural History**

The case was before the judicial system of India. It had first been heard in the trial Court and a ruling reached in favor of the defendants as the lower court held that the said patents were not existent and that the defendant respondent had not violated any patent thereof. The case proceeded to the appellate court which shall make the final ruling.

## **Issue**

The main issue was whether MC had duly patented the Butachlor and whether the inventions by the defendant respondent violated the said patent. The issues were supposed to be addressed with due consideration of the patent law in the State of India. In addition, the consideration by the court was what constituted a patent and whether Butachlor was rightly conceived as a patent.

## **Holding**

The court held that the defendant respondent had not violated the patent as it was and that the said Butachlor patent was not directly related to the two inventions by the defendant respondent. In other words, the respondents were not in violation of any patent and were therefore justified to proceed with their operations.

## **Reasoning**

The court considered the grounds for revocation of a patent which included the fact that patents could be revoked if the subject is not an invention within the meaning of the Act and or the said invention is not new for the reason that it existed before. In the analysis of the court it came to the conclusion that the related aspects in Butachlor that were applied in the inventions by the defendant respondent were not patents and thus the said patent was revoked and considered not to have existed hence no violation of the patent.

## **Decision**

The court dismissed the appeal.

## **References**

August, R., Mayer, D., & Bixby, M. (2012). International Business Law: Text, Cases, and Readings. New York: Pearson Education, Limited.

Jain , S., & Jain, R. K. (2011). Patents: Procedures and Practices. New York: Universal Law Publishing.