

Patents (Amendment) Act, 2002

Section 4 - Amendment of Section 3

In section 3 of the principal Act,--

(a) for clause (b), the following clause shall be substituted, namely :--

"(b) an invention the primary or intended use or commercial exploitation of which could be contrary public order or morality or which causes serious prejudice to human, animal or plant life or health or to the environment;"

(b) in clause (c), after the words "an abstract theory", the words "or discovery of any living thing or non-living substance occurring in nature" shall be inserted;

(c) clause (g) shall be omitted;

(d) in clause (i),--

(i) after the word "prophylactic", the words "diagnostic, therapeutic", shall be inserted;

(ii) the words "or plants" shall be omitted;

(e) after clause (i), the following clauses shall be added, namely :--

"(j) plants and animals in whole or any part thereof other than micro-organisms but including seeds, varieties and species and essentially biological processes for production or propagation of plants and animals ;

(k) a mathematical or business method or a computer program per se or algorithms;

(l) a literary, dramatic, musical or artistic work or any other aesthetic creation whatsoever including cinematographic works and television productions;

(m) a mere scheme or rule or method of performing mental act or method of playing game;

(n) a presentation of information;

(o) topography of integrated circuits :

(p) an invention which, in effect, is traditional knowledge or which is an aggregation or duplication of known properties of traditionally known component or components."
