

Patents (Amendment) Act, 2002

Section 25 - Substitution of New Section for Section 48

For section 48 of the principal Act, the following section shall be substituted, namely :--

"48. Rights of patentees.--

Subject to the other provisions contained in this Act and the conditions specified in section 47, a patent granted under this Act shall confer upon the patentee--

(a) where the subject matter of the patent is a product, the exclusive right to prevent third parties, who do not have his consent, from the act of making, using, offering for sale, selling or importing for those purposes that product in India;

(b) where the subject matter of the patent is a process, the exclusive right to prevent third parties, who do not have his consent, from the act of using that process, and from the act of using, offering for sale, selling or importing for those purposes the product obtained directly by that process in India :

Provided that the product obtained is not a product in respect of which no patent shall be granted under this Act."
