

Patents (Amendment) Act, 2002

Section 27 - Amendment of Section 53

In section 53 of the principal Act,--

(a) for sub-section (1), the following sub-section shall be substituted, namely :--

"(1) subject to the provisions of this Act, the term of every patent granted, after the commencement of the Patents (Amendment) Act, 2002, and the term of every patent which has not expired and has not ceased to have effect, on the date of such commencement, under this Act, shall be twenty years from the date of filling of the application for the patent."

(b) after sub-section (3), the following sub-section shall be inserted, namely :--

"(4) Notwithstanding anything contained in any other law for the time being in force, on cessation of the patent right due to non-payment of renewal fee or on expiry of the term of patent, the subject matter covered by the said patent shall not be entitled to any protection."
