

Patents (Amendment) Act, 2002

Section 41 - Amendment of Section 100

In section 100 of the principal Act,--

(a) in sub-section (3), for the proviso, the following proviso shall be substituted, namely :--

"Provided that in case of any such use of any patent, the patentee shall be paid not more than adequate remuneration in the circumstances of each case, taking into account the economic value of the use of the patent."

(b) in sub-section (5) for the words "unless it appears to the Government that it would be contrary to the public interest so to do", the words "except in case of national emergency or other circumstances of extreme urgency or for non-commercial use" shall be substituted;

(c) in sub-section (6), for the words "right to sell the goods", the words "right to sell on non-commercial basis, the goods" shall be substituted.
