

Patents (Amendment) Act, 1999

Section 8 - Insertion of New Section 157a

After section 157 of the principal Act, the following section shall be inserted, namely:

'157A. Protection of Security of India - Notwithstanding anything contained in this Act, the Central Government shall :

(a) not disclose any information relating to any patentable invention or any application relating to the grant of a patent under this Act, which it considers prejudicial to the interest of security of India;

(b) take action including the revocation of any patent which it considers necessary in the interest of security of India:

Provided that the Central Government shall, before taking any action under this clause, issue a notification in the Official Gazette declaring its intention to take such action.

Explanation. - For the purposes of this section, the expression "security of India" means any action necessary for the security of India which -

(i) relates to fissionable materials or the materials from which they are derived; or

(ii) relates to the traffic in arms, ammunition and implements of war and to such traffic in other goods and materials as is carried on directly or indirectly for the purpose of supplying a military establishment; or

(iii) is taken in time of war or other emergency in matter of international relations'.
