

Patents (Amendment) Act, 2005

Section 2 - Amendment of Section 2

In section 2 of the Patents Act, 1970 (39 of 1970.) (hereinafter referred to as the principal Act), in sub-section (1),- (a) after clause (ab), the following clause shall be inserted, namely:- '(aba) "Budapest Treaty" means the Budapest Treaty on the International Recognition of the Deposit of Micro-organisms for the Purposes of Patent Procedure done at Budapest on 28th day of April, 1977, as amended and modified from time to time;'; (b) in clause (d), for the words, brackets and figure "notified as such under sub-section (1) of section 133", the words and figures "referred to as a convention country in section 133" shall be substituted; (c) clause (g) shall be omitted; (d) in clause (h),- (i) in sub-clause (iii), after the words and figures "the Companies Act, 1956 (1 of 1956)", the word "; or" shall be inserted; (ii) after sub-clause (iii), the following sub-clause shall be inserted, namely:- "(iv) by an institution wholly or substantially financed by the Government;"; (iii) the words "and includes the Council of Scientific and Industrial Research and any other institution which is financed wholly or for the major part by the said Council;" shall be omitted; (e) for clause (i), the following clause shall be substituted, namely:- '(i) "High Court", in relation to a State or Union territory, means the High Court having territorial jurisdiction in that State or Union territory, as the case may be;'; (f) for clauses (l) and (m), the following clauses shall be substituted, namely:- '(l) "Opposition Board" means an Opposition Board constituted under sub-section (4) of section 25; (m) "patent" means a patent for any invention granted under this Act;'