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Patents (Amendment) Act, 2005

Section 9 - Amendment of Section 11

In section 11 of the principal Act,- (a) after sub-section (3), the following sub-section shall be inserted, namely:- "(3A) Where a complete specification based on a previously filed application in India has been filed within twelve months from the date of that application and the claim is fairly based on the matter disclosed in the previously filed application, the priority date of that claim shall be the date of the previously filed application in which the matter was first disclosed."; (b) in sub-section (6), after the brackets and figure "(3)", the brackets, figure and letter "(3A)," shall be inserted.