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Patents (Amendment) Act, 2005

Section 38 - Amendment of Section 53

In section 53 of the principal Act,- (a) after sub-section (1), the following Explanation shall be inserted, namely:- "Explanation.-For the purposes of this sub-section, the term of patent in case of International applications filed under the Patent Cooperation Treaty designating India, shall be twenty years from the international filing date accorded under the Patent Cooperation Treaty."; (b) in sub-section (2), for the words "or within that period as extended under this section", the words "or within such extended period as may be prescribed" shall be substituted; (c) sub-section (3) shall be omitted.