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Patents (Amendment) Act, 2005

Section 42 - Amendment of Section 59

In section 59 of the principal Act, for sub-section (2), the following subsection shall be substituted, namely:-
"(2) Where after the date of grant of patent any amendment of the specification or any other documents related thereto is allowed by the Controller or by the Appellate Board or the High Court, as the case may be,-
(a) the amendment shall for all purposes be deemed to form part of the specification along with other documents related thereto; (b) the fact that the specification or any other documents related thereto has been amended shall be published as expeditiously as possible; and (c) the right of the applicant or patentee to make amendment shall not be called in question except on the ground of fraud."