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Patents (Amendment) Act, 2005

Section 53 - Amendment of Section 90

In section 90 of the principal Act, in sub-section (1), for clause (vii), the following shall be substituted, namely: - "(vii) that in the case of semi-conductor technology, the licence granted is to work the invention for public non-commercial use or to remedy a practice determined after judicial or administrative process to be anti-competitive; (viii) that the licence is granted with a predominant purpose of supplying in the Indian market: Provided that the licensee may also export the patented product in accordance with section 92A: Provided further that in case the licence is granted to remedy a practice determined after judicial or administrative process to be anti-competitive, the licensee shall be permitted to export the patented product.".