

Patents Act, 1970

Section 2 - Definitions and interpretation.—

1970. (2) It extends to the whole of India. (3) It shall come into force on such date¹ as the Central Government may, by notification in the Official Gazette, appoint: Provided that different dates may be appointed for different provisions of this Act, and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision 1) In this Act, unless the context otherwise requires, 2 3 [* * * *]; (ab) assignee includes an assignee of the assignee and the legal representative of a deceased assignee and references to the assignee of any person include references to the assignee of the legal representative or assignee of that person; 4 [(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;] (ac) capable of industrial application, in relation to an invention, means that the invention is capable of being made or used in an industry;] (b) Controller means the Controller General of Patents, Designs and Trade Marks referred to in section 73; (c) convention application means an application for a patent made by virtue of section 135; 5 [(d) convention country means a country or a country which is member of a group of countries or a union of countries or an Inter-governmental organisation 6[referred to as a convention country in section 133;] (e) district court has the meaning assigned to that expression by the Code of Civil Procedure, 1908 (5 of 1908); (f) exclusive licence means a licence from a patentee which confers on the licensee, or on the licensee and persons authorised by him, to the exclusion of all other persons (including the patentee), any right in respect of the patented invention, and exclusive licensee shall be construed accordingly; 7 * * * * * 1.1-4-1978, vide notifi. No. S.O. 799, dated 10-3-1978, in respect of the provisions of sub-section (2) of s. 12 and sub-section (2) of s. 13, s. 28, s. 68, and ss. 125 to 132 see Gazette of India, Part II, sec. 3 (ii). 20-4-1972 vide notifi. No. S.O. 300 dated 20-4-1972, in respect of the provisions [except sub-section (2) of s. 12 and sub-section (2) of s. 13, s. 28, s. 68 and ss. 125 to 132] see Gazette of India, Part II, sec. 3 (ii).