

Patents Act, 1970

Section 7 - Cl

g) omitted by s. 2, ibid. (w.e.f. 1-1-2005). 9 (h) Government undertaking means any industrial undertaking carried on (i) by a department of the Government, or (ii) by a corporation established by a Central, Provincial or State Act, which is owned or controlled by the Government, or (iii) by a Government company as defined in section 617 of the Companies Act, 1956 (1 of 1956), 1[or] 1 [(iv) by an institution wholly or substantially financed by the Government;] 2 * * * * 3 [(i) High Court, in relation to a State or Union territory, means the High Court having territorial jurisdiction in that State or Union territory, as the case may be;] 4 [(ia) international application means an application for patent made in accordance with the Patent Cooperation Treaty;] 5 [(j) invention means a new product or process involving an inventive step and capable of industrial application; 6 [(ja) inventive step means a feature of an invention that involves technical advance as compared to the existing knowledge or having economic significance or both and that makes the invention not obvious to a person skilled in the art;]] (k) legal representative means a person who in law represents the estate of a deceased person; 7 [(l) new invention means any invention or technology which has not been anticipated by publication in any document or used in the country or elsewhere in the world before the date of filing of patent application with complete specification, i.e., the subject matter has not fallen in public domain or that it does not form part of the state of the art; (la) Opposition Board means an Opposition Board constituted under sub-section (3) of section 25; (m) patent means a patent for any invention granted under this Act;] (n) patent agent means a person for the time being registered under this Act as a patent agent; (o) patented article and patented process mean respectively an article or process in respect of which a patent is in force; 4 [(oa) Patent Cooperation Treaty means the Patent Cooperation Treaty done at Washington on the 19th day of June, 1970 as amended and modified from time to time;] (p) patentee means the person for the time being entered on the register as the grantee or proprietor of the patent; (q) patent of addition means a patent granted in accordance with section 54; (r) patent office means the patent office referred to in section 74; (s) person includes the Government;