



Outstanding Case of the Year

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We are pleased to share that *Ferid Allani v. Union of India*, WP(C) 7 of 2014, decision dated 12th December, 2019 has been awarded as the “Outstanding Case of the Year” by Legal Era at their 9th Annual Indian Legal Awards, 2019-2020 (Mumbai, 7th March, 2020). The decision is significant as it is the first Court decision that interprets Section 3(k) of the Patents Act, which is a provision that excludes computer programs “per se” from getting a patent. The Hon’ble Court holds that the legislative intent was not to exclude all computer programs but only computer programs “per se”. Moreover, if a computer programme shows technical effect and technical contribution (concepts which the Hon’ble Court says are well established in light of Indian Patent Office Guidelines and foreign jurisprudence) the same would be eligible for a patent. The Hon’ble Court also notes that in today’s time when most inventions are based on computer programs, related to Artificial Intelligence and/or Block Chain technologies etc., it would be regressive to consider that *all* computer programs are not eligible for a patent. Kudos to the team! – (Pravin Anand; Shrawan Chopra; Vibhav Mithal)

