



The Patent Litigation Law Review

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Excerpts from [The Patent Litigation Law Review](#). **Overview** The Modi government has signalled that it recognises the importance of intellectual property and expediting litigation in India's growth map for the coming years. With this in mind, the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act 2015 (Commercial Courts Act) has been introduced to speed up commercial litigation in the country. All patent disputes are covered by this statute. **Courts of first instance** A district court is the lowest court before which a patent infringement suit can be filed. If a patent infringement lawsuit is filed before a district court and the defendant counterclaims for invalidity then the suit is transferred to the high court. Only six high courts can entertain lawsuits in the first instance. This is commonly referred to as 'original jurisdiction'. Most patent litigation is filed before high courts. After the Commercial Courts Act, not all district courts can entertain 'commercial' lawsuits under the Commercial Courts Act. Under this Act, commercial suits can be filed only before courts designated as 'commercial courts' or before a high court division designated as a 'commercial division'. *Authored by Pravin Anand and Abhilasha Nautiyal.*

