Filing of International Patents and National Security

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While PCT Application is a beneficial tool for patent applicants planning to obtain protection outside India, they ought to be careful in cases of filing first in India because if they don't apply for permission to file outside India prior to the first PCT filing, they may be contravening section 39 of the Indian Patent Act. Indian Patent law has come a long way since the Indian Patents and Designs Act was introduced for the first time in 1911 to protect the Intellectual Property of innovators in India. With globalisation of the Indian economy, the protection of intellectual property internationally has become an integral part of the overall business plan of Indian intellectual property owners. India became a signatory to the Paris Convention in 1998 and the Patent Cooperation Treaty (PCT) benefits also became available to applicants in India allowing filing of International Patent Applications or PCT applications as they are commonly known. *Authored by Neeti Wilson. This article was published in Legal Era September 2014.* Read more

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