

PATENT RIGHTS AND ITS INFRINGEMENT

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ABSTRACT

The patent is one of the forms of Intellectual Property Rights. Patent is a grant made by the inventor, providing him the exclusive right to make, use and sell his invention for a term of 20 years. The law relating to the patent is governed by the Patents' Act, 1970. The patentee has several rights such as Right to exploit the Patent, Right to Assign and grant license to others, Right to surrender the patent, Right to have Exclusive marketing rights, Right to sue for infringement. But when an infringement takes place, it can be instituted by way of suit in the District court or High Court. Under section 108 of the Act, they have been remedies like, Injunction, damages on account of profits and seizure, forfeiture or destruction. Thus patent work is encouraged in India for new scientific invention.

KEYWORDS: *Patent, Infringement, Rights, Patentee, Exclusive, Invention*