



The Nightmare of Section 8

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Due in part to its often-ambiguous requirements, Section 8 of India's Patents Act has become a nightmare for patent owners, explains Pravin Anand. The 2009 Chemtura decision of the Delhi High Court made Section 8 compliance very stringent. In effect, even if a small communication between the patent office of some remote country regarding an equivalent patent is not reported to the patent office in India, the consequences may prove to be fatal and the patent may be cancelled. This generated tremendous fear in the minds of patent owners in all industries whether pharmaceutical, information technology, bio-technology, automobiles, mechanical and others. Corporations, associations and academics are all looking at a more practical and realistic approach to Section 8. *This article was published in Asia IP January 2014. [Read more](#)*

