

PATENTS ACT OF 1971

(Law No 58 of 1971)

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(The purpose of this Act is to encourage inventiveness through adequate protection of inventions and technical know-how)

Be It Hereby Enacted by the Council of Ministers in Accordance with the Presidential Decree No. I as Follows:

PART I

PRELIMINARY PROVISIONS

CHAPTER I

- Title 1. This Act may be cited as "The Patents Act, 1971."
- Definitions 2. In this Act, unless the context otherwise requires:
- (a) "The Court" means the High Court;
 - (b) "Minister" means the Attorney General;
 - (c) "Patent Office" means the Office that the Minister shall establish to perform the functions assigned to it under this Act.

CHAPTER II

TERMS OF PATENTABILITY

- Patentable Inventions 3. (1) Any invention which is new, involves an inventive step and is capable of industrial application shall be patentable.
- (2) Any invention constituting an improvement upon a patented invention shall be patentable if it is new, involves an inventive step and is capable of industrial application.
- (3) Principles and discoveries of a scientific nature shall not be considered to be inventions.
- Novelty 4. (1) An invention is new if it is not anticipated by prior art, prior art being constituted by everything disclosed to the public, anywhere and at any time whatsoever, by means of a written or oral disclosure, by use, or in any other way, before the date of the filing of the patent application or the priority date validly claimed in respect thereof.
- (2) An invention shall not be deemed to have been made available to the public solely by reason of the fact that, within the period of six months preceding the filing of the application for a patent, the inventor or his successor in title has exhibited it in an official or officially recognized international exhibition.
- Inventive Step 5. An invention shall be considered as involving an inventive step if it does not obviously follow from the state of the art, either as to the method, the application, the combination of methods, or the products which it concerns, or as to the industrial results it produces.
- Industrial Application 6. An invention shall be considered as capable of industrial application if it can be manufactured or used in any kind of industry, including agriculture.

