
Subject: Re: Criminal Remedy in patent act 1970.

From: O P GUPTA (cg.ipindia@nic.in)

To: bharatbhogilalpatel@yahoo.in;

Cc: nk.mohanty@nic.in;

Date: Tuesday, 30 August 2016 12:19 PM

Dear Mr Patel,

I may agree with your interpretation that the word 'offence' in law mean a criminal remedy may be available to the person against whom such offence has taken place. However as per criminal jurisprudence a complain has to be filed by the affected party and the concern law enforcement agency empowered to act after prima facie being satisfied of commissioning of such offence has to take appropriate action as per law.

In instant matter no action is pending in any patent office and patent office has no role after grant of patent no action is expected to be taken by Mumbai patent office.

Regards,

--

O P Gupta , IAS

CGPDTM & Registrar of GI,

Boudhik Sampada Bhavan,

S M Road, Antop Hill,

Mumbai-400037

Ph +912224132735, fax +912224123322

From: Bharat Patel <bharatbhogilalpatel@yahoo.in>

Reply-To: Bharat Patel <bharatbhogilalpatel@yahoo.in>

Date: Tue, 30 Aug 2016 06:05:18 +0000 (UTC)

To: CG OFFICE <cgoffice-mh@nic.in>, O P GUPTA <cg.ipindia@nic.in>

Cc: N K Mohanty <nk.mohanty@nic.in>

Subject: Criminal Remedy in patent act 1970.

Respected Sir Shri O.P.Guptaji (Controller General of Patents, Designs & Trade Marks),

This email is in continuation to my earlier email dated 14/06/2016,23/07/2016 ,30/07/2016 & my letter to your respectable office on 27/07/2016. I have also visited Patent Office at Mumbai on 15/07/2016 and have meet Respected Shri N.K. Mohanty (Dy.Controller of Patents and Design) and had a discussion on the above said issue.

Our Patent Act 1970, and our Law Makers in Section 124 (which is on Offences By Companies) has used the word Offence which is generally used in Criminal Terminology. according to my knowledge and understanding the word offence is used by law makers and our act to provide Criminal remedy in the act and if that was not so the law makers would have used word infringement instead of offence.

i would like to request respectable yourself to communicate to me about your decision on the above said email and letters to your office on the issue of Criminal Remedy in patent act 1970 in relation to my patent number 188787 & 189027.

Thanking you,

Regards,

Bharat Bhogilal Patel.

MOB:9223499562