



THE PATENTS RULES, 2003

Rule 126

Form, etc., of affidavits

(1) The affidavits required by the Act or these rules to be filed at the patent office or furnished to the Controller shall be duly sworn to in the manner as prescribed in sub-rule (3).

(2) Affidavits shall be confined to such facts as the deponent is able, of his own knowledge, to prove except in interlocutory matters, where statements of belief of the deponent may be admitted, provided that the grounds thereof are given.

(3) Affidavits shall be sworn to as follows:-

(a) in India-before any court or person having by law authority to receive evidence, or before any officer empowered by such court as aforesaid to administer oaths or to take affidavits;

(b) in any country or place outside India-before a diplomatic or consular officer, within the meaning of the [Diplomatic and Consular Officers \(Oaths and Fees\) Act, 1948 \(41 of 1948\)](#) in such country or place or before a notary of the country or place, recognised by the Central Government under [section 14 of the Notaries Act, 1952 \(53 of 1952\)](#), or before a judge or magistrate of the country or place.

(4) Alterations and interlineations shall, before an affidavit is sworn to or affirmed be authenticated by the initials of the person before whom the affidavit is sworn to.

[<<previous](#)

[next>>](#)