



THE PATENTS ACT, 1970

Section 7

Form of application

- (1) Every application for a patent shall be for one invention only and shall be made in the prescribed form and filed in the patent office.
- (1A) Every international application under the [Patent Cooperation Treaty](#) for a patent, as may be filed designating India shall be deemed to be an application under this Act, if a corresponding application has also been filed before the Controller in India.
- (1B) The filing date of an application referred to in sub-section (1A) and its complete specification processed by the patent office as designated office or elected office shall be the international filing date accorded under the [Patent Cooperation Treaty](#).
- (2) Where the application is made by virtue of an assignment of the right to apply for a patent for the invention, there shall be furnished with the application, or within such period as may be prescribed after the filing of the application, proof of the right to make the application.
- (3) Every application under this section shall state that the applicant is in possession of the invention and shall name the person claiming to be the true and first inventor; and where the person so claiming is not the applicant or one of the applicants, the application shall contain a declaration that the applicant believes the person so named to be the true and first inventor.
- (4) Every such application (not being a convention application or an application filed under the [Patent Cooperation Treaty](#) designating India) shall be accompanied by a provisional or a complete specification.

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