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**BILLE NA bPAITINNI (LEASU), 1966**  
**PATENTS (AMENDMENT) BILL, 1966**

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**EXPLANATORY MEMORANDUM**

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1. The law relating to patents for inventions now contained in the Industrial and Commercial Property (Protection) Act, 1927, will be replaced by the Patents Act, 1964, when that Act comes into force.

2. The provision in section 55 (1) of the 1927 Act precludes protection of chemical products or substances intended for food or medicine except when prepared or produced by the methods or processes described and claimed in the specification. Section 55 (1), however, contains a proviso that in an action for infringement any substance of the same chemical composition as that to which the patent concerned in the action relates shall, in the absence of proof to the contrary, be deemed to have been produced by the patented process.

3. The new Act improves the position of inventors of chemical products or substances intended for food or medicine by extending the protection to such products or substances. Further, by means of a transitional provision (Second Schedule, paragraph 4) an application relating to a chemical invention filed before the commencement of the Act will proceed under its provisions.

4. The new Act does not, however, provide for the continuation in force of the proviso to section 55 (1) of the 1927 Act and this causes apprehension in the pharmaceutical industry in respect of certain patents. The Bill enables the benefits of the presumptive clause to be continued in force in such cases.

*An Roinn Tionscail agus Tráchtála,*  
*Feabhra, 1966.*



BILL ON PATENTING (LEASU) 1966  
PATENTS (AMENDMENT) BILL, 1966

EXPLANATORY MEMORANDUM

BILL

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1. The law relating to patents for inventions now contained in the Industrial and Commercial Property (Protection) Act, 1957, will be replaced by the Patents Act, 1966, when that Act comes into force.

The Bill provides for the extension of the term of protection of patents for inventions from 15 to 17 years. It also provides for the extension of the term of protection of patents for inventions from 15 to 17 years.

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An Act to amend the law relating to patents for inventions.  
Enacted in 1966.

MAILED AT THE  
SECRETARY GENERAL'S OFFICE

Printed and Published by the Government Printer, Dublin.  
An Order, and Copy of the Bill, may be obtained from the Government Printer, Dublin.

Printed by the Government Printer, Dublin.

[Price: 10/-]

1966 BILL 234

PRINTED BY THE STATIONERY OFFICE

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[Price: 10/-]