



**Government of India  
Ministry of Finance  
Department of Revenue  
Central Board of Excise & Customs  
New Delhi**

**Notification No. 49/2007-Customs (N.T.)**

Dated 8th May, 2007

G.S.R. 333(E). - In exercise of the powers conferred by Section 11 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, for the purposes specified in clauses (n) and (u) of Sub-Section (2) of that Section, hereby prohibits the import of the following goods, subject to following of conditions and procedures as specified in the Intellectual Property Rights (Imported Goods) Enforcement Rules, 2007, namely :-

- (i) goods having applied thereto a false trade mark as specified in Section 102 of the Trade Marks Act, 1999 (47 of 1999);
- (ii) goods having applied there to a false trade description within the meaning of clause (i) of Sub-Section (1) of Section 2 of the Trade Marks Act, 1999(47 of 1999), otherwise than in relation to any of the matters specified in sub-clauses (ii) and (iii) of clause (za) of that Sub-Section;
- (iii) goods made or produced beyond the limits of India and intended for sale, and having applied thereto a design in which copyright exists under the Designs Act, 2000(16 of 2000), in respect of the class to which the goods belong or any fraudulent or obvious imitation of such design except when the application of such design has been made with the licence or written consent of the registered proprietor of the design;
- (iv) the product made or produced beyond the limits of India and intended for sale for which a patent is in force under the Patents Act, 1970 (39 of 1970), except in cases where the consent from the patentee in India has been obtained provided that such prohibition is not applicable to the cases where such importation is allowed under the Patents Act, 1970 (39 of 1970);
- (v) the product obtained directly by the process made or produced beyond the limits of India and intended for sale, where patent for such process is in force under the Patents Act 1970 (39 of 1970), except in cases where the consent from the patentee in India has been obtained provided that such prohibition is not applicable to the case where such importation is allowed under the Patents Act, 1970 (39 of 1970);
- (vi) goods having applied thereto a false Geographical Indication within the meaning of Section 38 of Geographical Indications of Goods (Registration and Protection) Act, 1999 (48 of 1999);
- (vii) goods which are prohibited to be imported by issuance of an order issued by Registrar of Copyrights under Section 53 of the Copyright Act, 1957 (14 of 1957).

Explanation : For the purpose of this Notification, the terms and expressions used in various clauses of the Notification shall have the meanings assigned to them in the respective Acts, namely, Trade Marks Act, 1999 (47 of 1999), Designs Act, 2000(16 of 2000), Patents Act, 1970( 39 of 1970), Geographical Indications of Goods (Registration and Protection) Act, 1999 (48 of 1999) and Copyright Act, 1957 (14 of 1957).

Sd/-

(S. P. RAO)

Under Secretary to the Government of India

[F.No.305/159/2005-FTT]