(C) Any copy made of the material is not retained longer than necessary for the purpose of carrying out that transmission;

(2) Monetary relief under section 504 or 505 for contributory infringement or vicarious liability, based solely on conduct described in paragraph (1); or

(3) Monetary relief under section 504 or 505 for contributory infringement or vicarious liability, based solely on transmitting or providing access to material over that provider’s system or network, other than conduct described in paragraph (1), if the provider—

(A) Does not know and is not aware of information indicating that the material is infringing; and

(B) Does not receive a financial benefit directly attributable to the infringing activity.

b) PROTECTION OF PRIVACY—Nothing in subsection (a) shall authorize or obligate a provider to access material that the provider is prohibited by law from accessing, or impose an affirmative obligation to monitor or otherwise seek information indicating infringement.

c) LIMITATION BASED UPON REMOVING OR DISABLING ACCESS TO INFRINGING MATERIAL—A provider shall not be liable for any claim based on that provider’s removing or disabling online access to material, in response to knowledge or information indicating that the material is infringing, whether or not the material is infringing.

d) OTHER DEFENSES NOT AFFECTED—Removing or disabling access to material which a provider transmits online or to which a provider provides online access, or the failure to do so, shall not adversely bear upon the consideration by a court of a defense to infringement asserted by that provider on the basis of section 107 or any other provision of law.

e) MISREPRESENTATIONS—Any person who knowingly materially misrepresents that material online is infringing shall be liable for any damages, including costs and attorneys’ fees, incurred by the alleged infringer or by any copyright owner or copyright owner’s authorized licensee who is injured by such misrepresentation, or by any provider who relies upon such misrepresentation in removing or disabling access to the material claimed to be infringing.

### Indian Laws for Trademarks and Copyright

#### The Patents (Amendment) Act, 1999

(1) This Act may be called the Patents (Amendment) Act, 1999.

(2) It shall be deemed to have come into force on the 1st day of January, 1995.

24B.(1) Where a claim for patent covered under subsection (2) of section 5 has been made and the applicant has—

a) where an invention has been made whether in India or in a country other than India and before filing such a claim, filed an application for the same invention claiming identical article or substances in a convention country on or after the 1st day of January, 1995 and the patent and the approval to sell or distribute the article or substance on the basis of approval tests conducted on or after the 1st day of January, 1995, in that country has been granted on or after the date of making a claim for patent covered under subsection (2) of section 5; or

b) where an invention has been made in India and before filing such a claim, made a claim for patent on or after the 1st day of January, 1995 for method or process of manufacture for that invention relating to identical article or substance and has been granted in India the patent therefore on or after the date of making a claim for patent covered under subsection (2) of section 5, and has received the approval to sell or distribute the article or substance from the authority specified in this behalf by the Central Government

#### Trade Marks Act, 1999

This act was signed into law and was passed on December 23, 1999, by the Indian parliament. This law repealed and replaced the Trade and Merchandise Marks Act. This law provides the registration of trademarks relating to goods and services.