

104TH CONGRESS
1ST SESSION

S. 284

To restore the term of patents, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 26 (legislative day, JANUARY 10), 1995

Mr. DOLE (for himself and Mr. INHOFE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To restore the term of patents, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PATENT TERMS.**

4 (a) AMENDMENT.—Section 154 of title 35, United
5 States Code (as added by the Uruguay Round Agreements
6 Act), is amended—

7 (1) in paragraph (2) of subsection (a), by strik-
8 ing “and ending” and all that follows through the
9 end of the paragraph and inserting “and ending on
10 the later of—

11 “(A) 17 years from the date of the grant
12 of the patent; or

1 “(B) 20 years from the date on which the
2 application for the patent was filed in the
3 United States, except that if the application
4 contains a specific reference to an earlier filed
5 application or applications under section 120,
6 121, or 365(c) of this title, 20 years from the
7 date on which the earliest such patent applica-
8 tion was filed.”;

9 (2) by amending subsection (b) to read as fol-
10 lows:

11 “(b) PATENT DISCLOSURE.—In the event that a con-
12 tinuing patent application is filed that claims the benefit
13 of the filing date of a prior application that was filed more
14 than 60 months earlier, notices of the original patent ap-
15 plication and of the continuing patent application shall be
16 published and the public shall be permitted to inspect and
17 copy the original patent application and the continuing
18 patent application.”; and

19 (3) in paragraph (1) of subsection (c), by strik-
20 ing “shall be the greater of the 20-year term as pro-
21 vided in subsection (a), or 17 years from grant” and
22 inserting “shall be the term provided in subsection
23 (a)”.

1 (b) TECHNICAL AMENDMENT.—Section 534(b) of the
2 Uruguay Round Agreements Act is amended by striking
3 paragraph (3).

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