

104TH CONGRESS
1ST SESSION

S. 880

To enhance fairness in compensating owners of patents used by the United States.

IN THE SENATE OF THE UNITED STATES

JUNE 5, 1995

Mrs. HUTCHISON introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To enhance fairness in compensating owners of patents used by the United States.

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. JUST COMPENSATION.**

4 (a) IN GENERAL.—Section 1498(a) of title 28,
5 United States Code, is amended by adding at the end of
6 the first paragraph the following: “Reasonable and entire
7 compensation shall include the owner’s reasonable costs,
8 including reasonable fees for expert witnesses and attor-
9 neys, in pursuing the action if the owner is an independent
10 inventor, a nonprofit organization, or an entity that had

1 no more than 500 employees at any time during the 5-
2 year period preceding the use or manufacture of the pat-
3 ented invention by or for the United States.”.

4 (b) EFFECTIVE DATE.—The amendment made by
5 subsection (a) shall apply to actions under section 1498(a)
6 of title 28, United States Code, that are pending on, or
7 brought on or after, January 1, 1995.

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