

109TH CONGRESS
2^D SESSION

H. R. 4742

IN THE SENATE OF THE UNITED STATES

DECEMBER 6, 2006

Received

AN ACT

To amend title 35, United States Code, to allow the Director of the Patent and Trademark Office to waive statutory provisions governing patents and trademarks in certain emergencies.

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

1 **SECTION 1. WAIVER OF PATENT AND TRADEMARK RE-**
2 **QUIREMENTS IN CERTAIN EMERGENCIES.**

3 Section 2 of title 35, United States Code, is amended
4 by adding at the end the following new subsection:

5 “(e) WAIVER OF REQUIREMENTS IN CERTAIN EMER-
6 GENCIES.—The Director may waive statutory provisions
7 governing the filing, processing, renewal, and maintenance
8 of patents, trademark registrations, and applications
9 therefor to the extent the Director deems necessary in
10 order to protect the rights and privileges of applicants and
11 other persons affected by an emergency or a major dis-
12 aster, as those terms are defined in section 102 of the
13 Robert T. Stafford Disaster Relief and Emergency Assist-
14 ance Act (42 U.S.C. 5122). A decision not to exercise, or
15 a failure to exercise, the waiver authority provided by this
16 subsection shall not be subject to judicial review.”.

Passed the House of Representatives December 5,
2006.

Attest:

KAREN L. HAAS,

Clerk.