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Citation: 1 To Enhance Fairness in Compensating Owners of Used by the United States P.L. 104-308 110 Stat. 3814 1996

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Union Calendar No. 187

104TH CONGRESS
1ST SESSION

H. R. 632

[Report No. 104–373]

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 1995

Mr. FROST introduced the following bill; which was referred to the Committee on the Judiciary

NOVEMBER 30, 1995

Additional sponsors: Mr. FIELDS of Texas, and Mr. BRYANT of Texas

NOVEMBER 30, 1995

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

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SECTION 1. JUST COMPENSATION.

(a) AMENDMENT.—Section 1498(a) of title 28, United States Code, is amended by adding at the end of the first paragraph the following: "Reasonable and entire compensation shall include the owner's reasonable costs, including reasonable fees for expert witnesses and attorneys, in pursuing the action if the owner is an independent inventor, a nonprofit organization, or an entity that had no more than 500 employees at any time during the 5-year period preceding the use or manufacture of the patented invention by or for the United States.".

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

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