HEINONLINE

Citation: 2 An Act to Amend Title 35 United States Code with
to Patents on Biotechnological Processes Pub. L.
109 Stat. 351 1 1995

Content downloaded/printed from
HeinOnline (http://heinonline.org)
Tue Mar 19 17:06:13 2013

-- Your use of this HeinOnline PDF indicates your acceptance
of HeinOnline's Terms and Conditions of the license
agreement available at http://heinonline.org/HOL/License

-- The search text of this PDF is generated from
uncorrected OCR text.

101ST CONGRESS
2D SESSION

H. R. 5664

To amend title 35, United States Code, with respect to patents on certain processes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 1990

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

---

A BILL

To amend title 35, United States Code, with respect to patents on certain processes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Process Patent Amendments of 1990".

SEC. 2. PATENTABILITY OF CERTAIN PROCESSES.

Section 103 of title 35, United States Code, is amended by adding at the end the following new paragraph:

"When a process of making or using a machine, manufacture, or composition of matter is sought to be patented in

HeinOnline -- 2 An Act to Amend Title 35, United States Code, with Respect to Patents on Biotechnological Processes, Pub. L. No.104-41, 109 Stat. 351 1 1995

the same application as such machine, manufacture, or composition of matter, such process shall not be considered as obvious under this section if such machine, manufacture, or composition of matter is novel under section 102 and nonobvious under this section. If the patentability of such process depends upon such machine, manufacture, or composition of matter, then a single patent shall issue on the application.".

SEC. 3. EFFECTIVE DATE.

The amendment made by section 2 shall apply to all United States patents granted on or after the date of the enactment of this Act and to all applications for United States patents pending on or filed after such date of enactment, including any application for the reissuance of a patent.

○

HeinOnline -- 2 An Act to Amend Title 35, United States Code, with Respect to Patents on Biotechnological Processes, Pub. L. No.104-41, 109 Stat. 351 2 1995

26)

HeinOnline -- 2 An Act to Amend Title 35, United States Code, with Respect to Patents on Biotechnological Processes, Pub. L. No.104-41, 109 Stat. 351 [xlvi] 1995

HeinOnline -- 2 An Act to Amend Title 35, United States Code, with Respect to Patents on Biotechnological Processes, Pub. L. No.104-41, 109 Stat. 351 [xlvii] 1995