CONGRESSIONAL RECORD

Proceedings and Debates of the 86th Congress

SENATE

86

Bill: S. 494
Remarks: Introduced

Date: Jan. 17, 1959
Page: 723

FEES PAYABLE TO PATENT OFFICE

Mr. DIRKSEN. Mr. President, I introduce for appropriate reference a bill to fix the fees payable to the Patent Office, and for other purposes.

This measure, if enacted, would revise the fees collected by the U.S. Patent Office of the Department of Commerce involved in connection with patent applications, trademark applications and registrations, reissues, certificates of correction, copies of specification and drawings of patents, recording of assignments, agreements, and related matters. The revision would result generally in an increase of such fees.

The last major change in patent fees was back in 1932 when the application and issuance fees were raised to $30 each. Immediately after the 1932 revision of fees, the Patent Office was collecting in fees a sum exceeding 90 percent of the cost of operating the Patent Office. Since that time the costs of operation of the Patent Office have risen sharply, although no major adjustment in fees has been made to effect the same recovery of costs.

The Patent Office recovered in fees about 48 percent of its cost of operation in 1954, 1955, and 1956. The recovery in 1957 was about 40 percent. Because of increased expenditures for the operation of the Patent Office, this percentage will probably be less for the past and the current fiscal years. It is calculated during the next few years ahead that the fees under this proposal would cover only about 50 or 55 percent of expenditures of the Patent Office, compared with the 90-percent recovery in 1932.

It should be pointed out that the fees which would be modified by this proposal are established by statute and, therefore, congressional action is necessary to effect changes.

During the 85th Congress the Secretary of Commerce urged congressional action on the proposal to enable the Government to effect greater recovery of costs from special beneficiaries of this Government program. The Bureau of the Budget concurred in that recommendation and further indicated that it would be in accord with the program of the President.

The enactment of this legislative proposal would be in keeping with the policy of the administration of charging special beneficiaries of Government programs for the cost of operation attributable to special beneficiaries.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 494) to fix the fees payable to the Patent Office and for other purposes, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on the Judiciary.

462