OISS FORM 52 (12/80)

CONGRESSIONAL RECORD
PROCEEDINGS AND DEBATES OF THE 97TH CONGRESS

HOUSE

BILL	DATE	PAGE(S)
H.R. 3345	Mar. 16, 1982	H880-81

ACTION

House completed all debate on motions to suspend the rules and pass. Vote postponed.

Patent, trademark, and civil rights changes: H.R. 3345, to make technical and conforming changes in the patent and trademark laws and in the Civil Rights of Institutionalized Persons Act;

Pages H880-H881

TECHNICAL AMENDMENTS TO THE PATENT AND TRADEMARK LAWS AND THE CIVIL RIGHTS OF INSTITUTIONALIZED PERSONS ACT

Mr. SYNAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3345) to make technical and conforming changes in the patent and trademark laws and in the Civil Rights of Institutionalized Persons Act.

The Clerk read as follows:

H.R. 3345

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

TITLE I—CHANGES IN THE PATENT AND TRADEMARK LAWS

SEC. 101. Title 35 of the United States Code is amended—

(1) in the first sentence of section 41(a) by striking out "of Patents";

(2)(A) in the first sentence of section 41(b) by striking out "the first day of the first fiscal year beginning on or after one calendar year after enactment of this Act" and inserting in lieu thereof "October 1, 1982";

(B) in the second sentence of section 41(b) by striking out "the first day of the first fiscal year beginning on or after one calendar year after enactment" and inserting in lieu thereof "October 1, 1982";

(3) in the first sentence of section 41(c) by striking out "the fifteenth fiscal year following the date of enactment of this Act" and inserting in lieu thereof "October 1, 1996";

(4) in the first sentence of section 41(d) by striking out "the first day of the first fiscal year beginning on or after one calendar year after enactment" and inserting in lieu thereof "October 1, 1982";

(5) by redesignating chapter 38 as chapter 18 and transferring that chapter from the end of part IV to the end of part II;

(6) in the analysis of part II by inserting the following item after item 17:

"18. Patent Rights in Inventions Made with Federal assistance..... 200"; and

(7) in the analysis of part III by inserting the following item after item 29:

"30. Prior Art Citations to Office and Reexamination of Patents..... 301".

SEC. 102. Subsection (b) of section 6 of Public Law 96-517 (94 Stat. 3027) and the amendment made by it are repealed.

SEC. 103. The first sentence of section 31(a) of the Trademark Act of 1946 (15 U.S.C. 1113(a)) is amended by striking out "of Patents".

TITLE II—CHANGES IN THE CIVIL RIGHTS OF INSTITUTIONALIZED PERSONS ACT

SEC. 201. (a) That portion of section 4(a) of the Civil Rights on Institutionalized Persons Act which precedes paragraph (1) thereof is amended by striking out "section 2" and inserting in lieu thereof "section 3".

(b) That portion of section 8 of the Civil Rights of Institutionalized Persons Act which precedes paragraph (1) thereof is amended by striking out "Attorney" and inserting in lieu thereof "Attorney General".

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Oklahoma (Mr. SYNAR) will be recognized for 20 minutes, and the gentleman from Illinois (Mr. MCCLORY) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. SYNAR).

Mr. SYNAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3345 makes technical and conforming changes in title 35, United States Code, Patents, Public Law 96-517, the Trademark Act of 1946, and the Civil Rights of Institutionalized Persons Act.

The bill was prepared by the House Judiciary Committee to correct certain technical errors in those laws. The bill does not make any substantive change in the law.

Mr. McCLORY. Mr. Speaker, I yield myself such time as I may consume.

(Mr. McCLORY asked and was given permission to revise and extend his remarks.)

Mr. McCLORY. Mr. Speaker, I join my colleague in supporting enactment of H.R. 3345, a bill to make technical and conforming changes in the patent and trademark laws and in the Civil Rights of Institutionalized Persons Act.

As the distinguished gentleman from Oklahoma (Mr. SYNAR) stated, this bill makes no substantive change in existing law.

I urge my colleagues to support H.R. 3345.

Mr. SYNAR. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. SYNAR) that the House suspend the rules and pass the bill, H.R. 3345.

The question was taken.

Mr. GREGG. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provision of clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.