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THE PATENT SYSTEM

Mr. O'MAHONEY. Mr. President, at the direction of the Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary, I introduce, in the names of the senior Senator from Wisconsin [Mr. WILEY] and myself, three bills dealing with the patent system. I ask that they be appropriately referred.

The PRESIDENT pro tempore. The bills will be received and appropriately referred.

The bills, introduced by Mr. O'MAHONEY (for himself and Mr. WILEY), were received, read twice by their titles, and referred as indicated.

To the Committee on Government Operations:

S. 1862. A bill to establish the Patent Office as an independent agency in the executive branch of the Government, and for other purposes.

To the Committee on the Judiciary:

S. 1863. A bill to limit the life of a patent to a term commencing with the date of the application; and

S. 1864. A bill to authorize an increase in the membership of the Board of Appeals of the Patent Office; to provide increased salaries for certain officers and employees of the Patent Office; and for other purposes.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, a statement in explanation of the several bills which I have introduced.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR O'MAHONEY

Based upon the subcommittee's study of the patent system and the integral part played by the Patent Office in the operation of that system, we have come to the following conclusions:

1. Everyone agrees on the importance to the United States of maintaining military and industrial technological superiority in the race with the communistic countries. One of the principal sources of our economic and military strength is the inventiveness and tehnical skills of the people of the United States. The patent system is designed to encourage and stimulate the application of this inventiveness and technical ingenuity to new developments with respect to industrial and military problems. Thus, the technologcal advancement in the United States is dependent, to a large degree, on how well the patent system works in practice.

2. Since the Patent Office, which has the duty and responsibility of determining the patentability of new technological advancements, plays a key role in the operation of the patent system, we wish to give legislative support to the efforts of the Patent Office in acquiring and maintaining qualified personnel and in the elimination of costly and time-consuming delays in the processing of patent applications. Accordingly, we have agreed to join our efforts toward aiding the Patent Office discharge its important duties and responsibilities.

3. The benefits to the economy and well being of the United States, particularly in the present cold war, which will flow from recruiting a most efficient Patent Office staff indicate the desirability of speedy action on the legislation Senator WILEY and I have introduced today.

Each bill is intended to strengthen the Patent Office by increasing the salaries of the Commissioner and others in the Patent Office in order that qualified personnel may be attracted and retained for the performance of the duties with which the Office deals. Another objective is to reduce the time lag in processing patent applications by increasing the membership of the Board of Appeals of the Patent Office, which is presently overwhelmed with work, from 9 members to not more than 15 members. Still another objective would be the establishment of the Patent Office as a separate and independent agency in the executive branch of the Government.

In addition, we will cosponsor the reintroduction of the so-called 20-year bill which I originally introduced in the last session of Congress. This bill is directed to eliminating stalling tactics indulged in by some applicants by limiting the period of life of a patent to a maximum term of 20 years from the date the application was filed or 17 years from the date of issuance, whichever is shorter. We seek to achieve the objective of having all patent applications processed in an orderly, efficient and expeditious manner.

We solicit the comments and views of the patent bar and all interested persons with respect to these bills.

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