PATENT AND TRADEMARK LAWS AND CIVIL RIGHTS OF INSTITUTIONALIZED PERSONS ACT, AMENDMENTS

89-139 O - 82 (282)

Public Law 97-256
97th Congress

An Act

Sept. 8, 1982
[H.R. 3345]

To make technical and conforming changes in the patent and trademark laws and in the Civil Rights of Institutionalized Persons Act.

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

Patent and trademark laws and Civil Rights of Institutionalized Persons Act, amendments.

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 Subsection (b) of section 6 of Public Law 96-517 (94 Stat. 3027) and the amendment made by it are repealed.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

42 USC 1997b.

SEC. 201. (a) That portion of section 4(a) of the Civil Rights of 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". 42 USC 1997f.

Approved September 8, 1982.

LEGISLATIVE HISTORY—H.R. 3345:

HOUSE REPORT No. 97-389 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 128 (1982):
Mar. 16, 18, considered and passed House.
Aug. 20, considered and passed Senate.

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