

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4742

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IN THE SENATE OF THE UNITED STATES

DECEMBER 6, 2006

Received

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## AN ACT

To amend title 35, United States Code, to allow the Director of the Patent and Trademark Office to waive statutory provisions governing patents and trademarks in certain emergencies.

1        *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. WAIVER OF PATENT AND TRADEMARK RE-**  
2 **QUIREMENTS IN CERTAIN EMERGENCIES.**

3 Section 2 of title 35, United States Code, is amended  
4 by adding at the end the following new subsection:

5 “(e) WAIVER OF REQUIREMENTS IN CERTAIN EMER-  
6 GENCIES.—The Director may waive statutory provisions  
7 governing the filing, processing, renewal, and maintenance  
8 of patents, trademark registrations, and applications  
9 therefor to the extent the Director deems necessary in  
10 order to protect the rights and privileges of applicants and  
11 other persons affected by an emergency or a major dis-  
12 aster, as those terms are defined in section 102 of the  
13 Robert T. Stafford Disaster Relief and Emergency Assist-  
14 ance Act (42 U.S.C. 5122). A decision not to exercise, or  
15 a failure to exercise, the waiver authority provided by this  
16 subsection shall not be subject to judicial review.”.

Passed the House of Representatives December 5,  
2006.

Attest:

KAREN L. HAAS,

*Clerk.*