

Union Calendar No. 425

103D CONGRESS
2D SESSION

H. R. 4608

[Report No. 103-777]

A BILL

To authorize appropriations for the Patent and Trademark Office in the Department of Commerce for fiscal year 1995, and for other purposes.

OCTOBER 3, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 1994

Mr. HUGHES (for himself and Mr. MOORHEAD) introduced the following bill;
which was referred to the Committee on the Judiciary

OCTOBER 3, 1994

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on June 21, 1994]

A BILL

To authorize appropriations for the Patent and Trademark Office in the Department of Commerce for fiscal year 1995, and for other purposes.

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. SHORT TITLE.**

2 *This Act may be cited as the “Patent and Trademark*
3 *Office Authorization Act of 1994”.*

4 **SEC. 2. AUTHORIZATION OF AMOUNTS AVAILABLE TO THE**
5 **PATENT AND TRADEMARK OFFICE.**

6 *There is authorized to be appropriated to the Patent*
7 *and Trademark Office for Salaries and necessary expenses*
8 *the sum of \$107,000,000 for fiscal year 1995, to be derived*
9 *from deposits in the Patent and Trademark Office Fee Sur-*
10 *charge Fund established under section 10101 of the Omni-*
11 *bus Budget Reconciliation Act of 1990 (35 U.S.C. note).*

12 **SEC. 3. AMOUNTS AUTHORIZED TO BE CARRIED OVER.**

13 *Amounts appropriated or made available pursuant to*
14 *this Act shall remain available until expended.*

15 **SEC. 4. EMPLOYMENT LEVEL IN PATENT AND TRADEMARK**
16 **OFFICE.**

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

19 *“(f)(1) During the 5-year period beginning on October*
20 *1, 1994, no reductions may be made in the number of full-*
21 *time equivalent employees of the Patent and Trademark Of-*
22 *fice, except to the extent that—*

23 *“(A) a law is enacted that requires reductions in*
24 *personnel or positions specifically in the Patent and*
25 *Trademark Office, or*

1 “(B) the Commissioner determines that a reduc-
2 tion in the number of full-time equivalents is in the
3 best interests of the Patent and Trademark Office and
4 the public.

5 “(2) During the 5-year period referred to in paragraph
6 (1), any law imposing a restriction on hiring by executive
7 agencies, or requiring reductions in force in executive agen-
8 cies, for the purpose of achieving reductions in the Federal
9 work force shall not apply to the Patent and Trademark
10 Office.

11 “(3) A law may not be construed as suspending or
12 modifying this subsection, except to the extent such law spe-
13 cifically refers to or amends this subsection.”.

14 **SEC. 5. COMPENSATION OF COMMISSIONER.**

15 Section 3(d) of title 35, United States Code, is amend-
16 ed by striking “Assistant” each place it appears and insert-
17 ing “Under”.