

*Dianne Feinstein* S.J.C.

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To strike the first inventor to file requirement.

**IN THE SENATE OF THE UNITED STATES—112th Cong., 1st Sess.**

**S. 23**

To amend title 35, United States Code, to provide for patent reform.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Mrs. FEINSTEIN, *Risch, Reid, Cropp, and Boxer*

Viz:

1 On page 2, line 1, strike "**FIRST INVENTOR TO**  
2 **FILE.**" and insert "**FALSE MARKING.**"

3 On page 2, strike line 2 and all that follows through  
4 page 16, line 4.

5 On page 16, line 5, strike "(1) IN GENERAL.—" and  
6 insert "(a) IN GENERAL.—" and move 2 ems to the left.

7 On page 16, line 7, strike "(A)" and insert "(1)" and  
8 move 2 ems to the left.

1        On page 16, line 11, strike “(B)” and insert “(2)”  
2 and move 2 ems to the left.

3        On page 16, line 18, strike “(2) EFFECTIVE DATE.—  
4 ” and insert “(b) EFFECTIVE DATE.—” and move 2 ems  
5 to the left.

6        On page 16, line 19, strike “subsection” and insert  
7 “section”.

8        On page 16, strike line 22 and all that follows  
9 through page 23, line 2.

10       On page 23, strike line 3 and all that follows through  
11 page 31, line 15, and renumber sections accordingly.

12       On page 64, strike line 18 and all that follows  
13 through page 65, line 17.

14       On page 69, line 10, strike “derivation” and insert  
15 “interference”.

16       On page 69, line 14, strike “derivation” and insert  
17 “interference”.

1 On page 71, line 9, strike "DERIVATION" and insert  
2 "INTERFERENCE".

3 On page 71, lines 9 and 10, strike "derivation" and  
4 insert "interference".

5 On page 71, line 14, strike "derivation" and insert  
6 "interference".

7 On page 72, line 3, strike "derivation" and insert  
8 "interference".

9 On page 72, line 8, strike "derivation" and insert  
10 "interference".

11 On page 73, line 1, strike "derivation" and insert  
12 "interference".

13 On page 73, between lines 5 and 6, insert the fol-  
14 lowing:

15 (d) CONFORMING AMENDMENTS.—Sections 41, 134,  
16 145, 146, 154, 305, and 314 of title 35, United States  
17 Code, are each amended by striking "Board of Patent Ap-  
18 peals and Interferences" each place that term appears and  
19 inserting "Patent Trial and Appeal Board".

- 1 On page 73, line 6, strike “(d)” and insert “(e)”.
  
- 2 On page 93, strike lines 6 through 8, and insert the  
3 following: by inserting “(other than the requirement to  
4 disclose the best mode)” after “section 112 of this title”
  
- 5 On page 98, strike lines 20 and 21, and insert the  
6 following:  
7 **SEC. 17. EFFECTIVE DATE.**  
8 Except as otherwise provided
  
- 9 On page 99, strike lines 1 through 14.