

**AMENDMENT TO H.R. 1249, AS REPORTED
(AS AMENDED BY THE AMENDMENT OFFERED BY
MR. SMITH OF TEXAS)
OFFERED BY MR. MANZULLO OF ILLINOIS**

Strike section 10 (beginning on page 81, line 14; “Fee Setting Authority”), as amended, and insert the following (and conform the table of contents accordingly):

1 SEC. 10. ELECTRONIC FILING INCENTIVE.

2 (a) IN GENERAL.—An additional fee of \$400 shall
3 be established for each application for an original patent,
4 except for a design, plant, or provisional application, that
5 is not filed by electronic means as prescribed by the Direc-
6 tor. The fee established by this subsection shall be reduced
7 by 50 percent for small entities that qualify for reduced
8 fees under section 41(h)(1) of title 35, United States
9 Code. All fees paid under this subsection shall be deposited
10 in the Treasury as an offsetting receipt that shall not be
11 available for obligation or expenditure.

12 (b) EFFECTIVE DATE.—This section shall take effect
13 upon the expiration of the 60-day period beginning on the
14 date of the enactment of this Act.

