

AMENDMENT TO RULES COMMITTEE PRINT 118-

36

OFFERED BY MR. NEGUSE OF COLORADO

At the end of subtitle C of title XVII insert the following new section:

1 **SEC. 17___. PILOT PROGRAM FOR EXPEDITING EXAMINA-**
2 **TION OF CRITICAL AND EMERGING TECH-**
3 **NOLOGY PATENT APPLICATIONS.**

4 (a) **PURPOSE.**—The purpose of the pilot program es-
5 tablished under this section is to encourage U.S. innova-
6 tion and leadership in critical and emerging technologies
7 by ensuring that patent applications for critical and
8 emerging technologies receive prompt consideration.

9 (b) **IN GENERAL.**—Not later than 1 year after the
10 date of enactment of this section, the Director shall estab-
11 lish a pilot program to expedite the examination, under
12 section 131 of title 35, United States Code, of applications
13 for patents for critical and emerging technology.

14 (c) **TERMINATION OF PROGRAM.**—

15 (1) **IN GENERAL.**—The pilot program shall ter-
16minate on the earlier of the following:

17 (A) The date that is 5 years after the Di-
18rector first issues a patent for an invention

1 claimed in an application expedited under the
2 pilot program.

3 (B) The date on which 5,000 patents have
4 been issued under the pilot program.

5 (2) EXTENSION.—In the case in which the pilot
6 program terminates under paragraph (1)(B), the Di-
7 rector may renew the program for the shorter of the
8 following:

9 (A) An additional 5 year period.

10 (B) An additional period—

11 (i) beginning on the date on which the
12 pilot program terminates under paragraph
13 (1)(B); and

14 (ii) ending on the date on which an
15 additional 5000 patents have been issued
16 under the pilot program.

17 (d) REPORTS.—

18 (1) PUBLIC AVAILABILITY OF INFORMATION.—

19 The Director shall make publicly available in an eas-
20 ily accessible location on the website of the United
21 States Patent and Trademark Office information
22 about the pilot program, including—

23 (A) the number of applications to the pro-
24 gram;

1 (B) the number of applications accepted
2 under the program; and

3 (C) the number of patents issued under
4 the program.

5 (2) INTERIM REPORT TO CONGRESS.—The Di-
6 rector shall submit to Congress a report that assess
7 the impact and effectiveness of the pilot program on
8 the date that is the earlier of the following:

9 (A) The date that is 30 months after the
10 date of enactment of this section.

11 (B) The date on which 2500 patents have
12 been issued under the pilot program.

13 (3) FINAL REPORT TO CONGRESS.—Not later
14 than 6 months after the program terminates (includ-
15 ing any renewal period thereof) the Director shall
16 submit a report to Congress that assesses the impact
17 and effectiveness of the pilot program.

18 (e) DEFINITIONS.—In this section:

19 (1) The term “critical and emerging tech-
20 nologies” means advanced technologies included on
21 the Critical and Emerging Technology List issued by
22 the National Science and Technology Council in
23 February 2024 (or any successor list).

24 (2) The term “Director” means the Under Sec-
25 retary of Commerce for Intellectual Property and

1 Director of the United States Patent and Trade-
2 mark Office.

3 (3) The term “pilot program” means the pro-
4 gram established under subsection (a).

