

AMENDMENT TO H.R. 1249, AS REPORTED
OFFERED BY MR. TERRY OF NEBRASKA

Page 22, after line 16, insert the following new paragraph:

1 (4) IMPLEMENTATION CONTINGENT ON POSI-
2 TIVE REPORT.—Notwithstanding any other provision
3 of this Act, the provisions of this Act and the
4 amendments made by this Act shall not take effect
5 before the date on which the Chief Counsel submits
6 a report under paragraph (3) stating that the overall
7 effect of the elimination of the use of dates of inven-
8 tion in determining whether an applicant is entitled
9 to a patent under title 35, United States Code, will
10 be positive.

Page 24, after line 2, insert the following new paragraph:

11 (3) IMPLEMENTATION CONTINGENT ON POSI-
12 TIVE REPORT.—Notwithstanding any other provision
13 of this Act, the provisions of this Act and the
14 amendments made by this Act shall not take effect
15 before the date on which the Director submits a re-
16 port under paragraph (1) stating that any changes

1 made by this Act, or amendments made by this Act,
2 dealing with prior user rights will have a positive
3 overall effect.

Page 27, strike lines 3 through 20.

Page 28, strike line 22 and all that follows through
page 33, line 12.

Page 33, line 13, redesignate paragraph (4) as sub-
section (b) and move such subsection 2ems to the left.

Page 33, strike line 17 and all that follows through
page 36, line 9.

Page 37, line 5, strike “commercially”.

Page 65, line 4, strike “a preponderance of the” and
insert “clear and convincing”.

Page 71, strike lines 16 through 19.

Page 80, line 12, before the semicolon insert the fol-
lowing: “, including how each document corresponds to
the claims in the patent application”.

Page 99, line 9, strike “\$50” and insert “the actual
cost of providing such printed copies”.

Page 105, line 9, strike “refer” and insert “trans-
fer”.

Page 105, beginning on line 10, strike “such action as the Attorney General may deem appropriate” and insert “prosecution”.

Page 108, strike lines 13 through 15 and redesignate the succeeding subsection accordingly.

Page 108, strike line 21 and all that follows through page 109, line 17, and redesignate succeeding sections (and conform the table of contents) accordingly.

Page 112, strike line 18 and all that follows through page 118, line 2, and redesignate succeeding sections (and conform the table of contents) accordingly.

