Active IP Legislation

IP Legislation active during the “Lame Duck”:

- Patent Law Treaties Implementing Legislation (S. 3486 and H.R. 6432)
  - A bill to implement the Patent Law Treaty (PLT) and Hague Agreement on Industrial Designs
  - Status: AWAITING PRESIDENTIAL SIGNATURE

- AIA Technical Corrections (H.R. 6621)
  - A bill to clarify provision enacted in Public Law 112-29 (Sept. 16, 2011)
  - Status: DRAFT PROPOSED; POSSIBLE LAME DUCK ACTION

- “Patents for Humanity Program Improvement Act of 2012” (S. 3652)
  - A bill to provide for transferability of vouchers received under USPTO’s “Patents for Humanity” program
  - Status: INTRODUCED

- “Theft of Trade Secrets Clarification Act of 2012” (S. 3642)
  - A bill to clarify the scope of the Economic Espionage Act (EEA) in response to a recent Second Circuit case that interpreted the act narrowly in its protection trade secrets information.
  - Status: PASSED SENATE, 11/27/2012
Other IP Legislation:

- Protecting American Trade Secrets and Innovation Act of 2012 (S. 3389)
- Saving High-Tech Innovators from Egregious Legal Disputes (SHIELD) Act (H.R. 6246)
- Promoting Automotive Repair, Trade, and Sales (PARTS) Act (H.R. 3889)
- Innovative Design Protection Act of 2012 (S. 3523)
- FY 2013 Appropriations (Current CR expires March 27, 2013)
Congressional Reports

Required under the America Invents Act:

- Second Opinion Genetic Diagnostic Testing
  - To be completed by USPTO
  - Roundtable Discussion scheduled for January 10 at USPTO.

- Impact of FITF on Small Business
  - To be completed by SBA’s Chief Counsel for Advocacy in consultation with USPTO General Counsel.
  - Timeline uncertain; pending funding.

- Patent Litigation by Non-Practicing Entities (NPEs)
  - To be completed by GAO

- Report on AIA Implementation
  - To be completed by USPTO in 2015
Congressional Hearings in 2012

- **Prior User Rights Defense – February 1, 2012**
  House Judiciary, Subcommittee on Intellectual Property, Competition and the Internet

- **FY 2013 Appropriations – March 1, 2012**
  House Appropriations, Subcommittee on Commerce, Justice and Science

- **AIA Implementation – May 16, 2012**
  House Judiciary Committee

- **AIA Implementation/International Harmonization – June 20, 2012**
  Senate Judiciary Committee

- **International IP Enforcement – June 27, 2012**
  House Judiciary IP Subcommittee

- **Economic Espionage – June 28, 2012**
  House Homeland Security Subcommittee on Counterterrorism and Intelligence
Lame Duck Session and Beyond

- **Preparation for 113th Congress / General Congressional Outreach**
  - New Member Outreach
  - Regular updates on AIA Implementation Progress
  - Regular meetings and Briefings as requested
  - Planning for “Day in the Life” (including on PE2E) – Congressional Staffers Visit

- **Satellite Offices**
  - Continued Progress in Denver, Dallas and Silicon Valley
  - Continued Congressional Interest and Outreach

- **IP Attaché Briefings**
  - Annual Briefings this month (December)

- **Sequestration** – January 2013
Thank you.

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