

## HR 2047

Patent and Trademark Office Authorization Act of 2002

**Congress:** 107 (2001–2003, Ended)

**Chamber:** House

**Policy Area:** Commerce

**Introduced:** Jun 5, 2001

**Current Status:** For Further Action See H.R.2215.

**Latest Action:** For Further Action See H.R.2215. (Oct 3, 2002)

**Official Text:** <https://www.congress.gov/bill/107th-congress/house-bill/2047>

### Sponsor

**Name:** Rep. Coble, Howard [R-NC-6]

**Party:** Republican • **State:** NC • **Chamber:** House

### Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Berman, Howard L. [D-CA-26]	D · CA		Jun 5, 2001
Rep. Conyers, John, Jr. [D-MI-14]	D · MI		Jun 5, 2001
Rep. Isakson, Johnny [R-GA-6]	R · GA		Jun 12, 2001
Rep. Smith, Lamar [R-TX-21]	R · TX		Jul 27, 2001

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Reported by	Jun 14, 2001
Judiciary Committee	Senate	Discharged From	Jun 27, 2002

### Subjects & Policy Tags

#### Policy Area:

Commerce

### Related Bills

Bill	Relationship	Last Action
107 HR 2215	Procedurally related	<b>Nov 2, 2002:</b> Became Public Law No: 107-273.
107 HR 740	Procedurally related	<b>Oct 3, 2002:</b> For Further Action See H.R.2215.
107 S 1754	Related bill	<b>Jun 27, 2002:</b> Held at the desk.

## Summary (as of Jun 26, 2002)

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Patent and Trademark Office Authorization Act of 2002 - Authorizes appropriations to the U.S. Patent and Trademark Office for salaries and expenses for FY 2003 through 2008 in an amount equal to all patent and trademark fees estimated by the Secretary of Commerce (Secretary) to be collected in each such fiscal year.

(Sec. 2) Requires the Under Secretary of Commerce for Intellectual Property and the Director of the Office (Director), by February 15 of each fiscal year, to report an estimate of all fees to be collected in the next fiscal year to the chairman and ranking member of specified congressional committees.

(Sec. 3) Requires the Director, by December 1, 2004, to complete the development of an electronic system for the filing and processing of patent and trademark applications that: (1) is user friendly; and (2) includes the necessary infrastructure to allow examiners and applicants to send all communications electronically, and the Office to process, maintain, and search electronically the contents and history of each application. Authorizes appropriations for FY 2003 and 2004 for development of such system.

(Sec. 4) Requires the Secretary, in each of the five calendar years following the enactment of this Act, to report to specified congressional committees on the progress made in implementing the 21st Century Strategic Plan issued on June 3, 2002, and on any amendments made to it.

(Sec. 5) Amends Federal patent law to provide that previous citation by or to, or consideration by the Office of, a patent or printed publication does not preclude the existence of a substantial new question of patentability in patent reexamination proceedings.

(Sec. 6) Revises requirements for appeals in inter partes reexamination proceedings to allow a third-party requester to appeal to the U.S. Court of Appeals for the Federal Circuit, or be a party to any appeal taken by the patent owner, with respect to any final decision favorable to the patentability of any original or proposed amended or new claim of the patent.

Allows a third-party requester to appeal a decision of the Board of Patent Appeals and Interferences.

Provides that a third-party requester in an inter partes reexamination proceeding dissatisfied with the final decision in an appeal to the Board may appeal the decision only to the U.S. Court of Appeals for the Federal Circuit.

## Actions Timeline

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- **Oct 3, 2002:** For Further Action See H.R.2215.
- **Jun 27, 2002:** Message on Senate action sent to the House.
- **Jun 26, 2002:** Senate Committee on the Judiciary discharged by Unanimous Consent.
- **Jun 26, 2002:** Measure laid before Senate by unanimous consent. (consideration: CR S6174-6175)
- **Jun 26, 2002:** Passed/agreed to in Senate: Passed Senate with an amendment and an amendment to the Title by Unanimous Consent.
- **Jun 26, 2002:** Passed Senate with an amendment and an amendment to the Title by Unanimous Consent.
- **Nov 7, 2001:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Nov 6, 2001:** Mr. Sensenbrenner moved to suspend the rules and pass the bill, as amended.
- **Nov 6, 2001:** Considered under suspension of the rules. (consideration: CR H7728-7730)
- **Nov 6, 2001:** DEBATE - The House proceeded with forty minutes of debate on H.R. 2047.
- **Nov 6, 2001:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H7728-7729)
- **Nov 6, 2001:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H7728-7729)
- **Nov 6, 2001:** Motion to reconsider laid on the table Agreed to without objection.
- **Aug 2, 2001:** Reported (Amended) by the Committee on Judiciary. H. Rept. 107-190.
- **Aug 2, 2001:** Placed on the Union Calendar, Calendar No. 112.
- **Jul 24, 2001:** Committee Consideration and Mark-up Session Held.
- **Jul 24, 2001:** Ordered to be Reported (Amended) by Voice Vote.
- **Jun 14, 2001:** Subcommittee Consideration and Mark-up Session Held.
- **Jun 14, 2001:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote.
- **Jun 13, 2001:** Referred to the Subcommittee on Courts, the Internet, and Intellectual Property.
- **Jun 5, 2001:** Introduced in House
- **Jun 5, 2001:** Sponsor introductory remarks on measure. (CR E1002)
- **Jun 5, 2001:** Referred to the House Committee on the Judiciary.

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