

S 2192

Cooperative Research and Technology Enhancement (CREATE) Act of 2004

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Mar 10, 2004

Current Status: Became Public Law No: 108-453.

Latest Action: Became Public Law No: 108-453. (Dec 10, 2004)

Law: 108-453 (Enacted Dec 10, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/2192>

Sponsor

Name: Sen. Hatch, Orrin G. [R-UT]

Party: Republican • State: UT • Chamber: Senate

Cosponsors (7 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Feingold, Russell D. [D-WI]	D · WI		Mar 10, 2004
Sen. Kohl, Herb [D-WI]	D · WI		Mar 10, 2004
Sen. Leahy, Patrick J. [D-VT]	D · VT		Mar 10, 2004
Sen. Grassley, Chuck [R-IA]	R · IA		Apr 28, 2004
Sen. Schumer, Charles E. [D-NY]	D · NY		May 3, 2004
Sen. Johnson, Tim [D-SD]	D · SD		Jun 3, 2004
Sen. Cochran, Thad [R-MS]	R · MS		Jun 14, 2004

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Apr 29, 2004

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
108 HR 2391	Related bill	Oct 7, 2004: Placed on Senate Legislative Calendar under General Orders. Calendar No. 781.

**(This measure has not been amended since it was introduced. The summary of that version is repeated here.)**

Cooperative Research and Technology Enhancement (CREATE) Act of 2004 - Amends Federal patent law to provide that patentability is not precluded on the basis of obviousness where subject matter which qualifies as prior art is developed by a person different from the person claiming the invention if: (1) the claimed invention was made by or on behalf of parties to a joint research agreement that was in effect on or before the date the claimed invention was made; (2) the claimed invention was made as a result of activities undertaken within the scope of the agreement; and (3) the application for patent for the claimed invention discloses or is amended to disclose the names of the parties to the agreement. Defines "joint research agreement" to mean a written contract, grant, or cooperative agreement entered into by two or more persons or entities for the performance of experimental, developmental, or research work in the field of the claimed invention.

### Actions Timeline

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- **Dec 10, 2004:** Signed by President.
- **Dec 10, 2004:** Signed by President.
- **Dec 10, 2004:** Became Public Law No: 108-453.
- **Dec 10, 2004:** Became Public Law No: 108-453.
- **Nov 29, 2004:** Presented to President.
- **Nov 29, 2004:** Presented to President.
- **Nov 20, 2004:** Mr. Sensenbrenner asked unanimous consent to take from the Speaker's table and consider.
- **Nov 20, 2004:** Considered by unanimous consent. (consideration: CR H10219)
- **Nov 20, 2004:** Passed/agreed to in House: On passage Passed without objection.(text: CR H10219)
- **Nov 20, 2004:** On passage Passed without objection. (text: CR H10219)
- **Nov 20, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 25, 2004:** Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent.(consideration: CR S7520-7522; text as passed Senate: CR S7522)
- **Jun 25, 2004:** Passed Senate without amendment by Unanimous Consent. (consideration: CR S7520-7522; text as passed Senate: CR S7522)
- **Jun 25, 2004:** Received in the House.
- **Jun 25, 2004:** Message on Senate action sent to the House.
- **Jun 25, 2004:** Held at the desk.
- **Apr 29, 2004:** Committee on the Judiciary. Ordered to be reported without amendment favorably.
- **Apr 29, 2004:** Committee on the Judiciary. Reported by Senator Hatch without amendment. Without written report.
- **Apr 29, 2004:** Committee on the Judiciary. Reported by Senator Hatch without amendment. Without written report.
- **Apr 29, 2004:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 484.
- **Mar 10, 2004:** Introduced in Senate
- **Mar 10, 2004:** Sponsor introductory remarks on measure. (CR S2558-2559)
- **Mar 10, 2004:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S2559)