

S 3818

Patent Reform Act of 2006

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Aug 3, 2006

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (Aug 3, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/3818>

Sponsor

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

Party: Republican • **State:** UT • **Chamber:** Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Leahy, Patrick J. [D-VT]	D · VT		Aug 3, 2006

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Aug 3, 2006

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
109 HR 2795	Related bill	Sep 15, 2005: Hearings Held on Issue by Subcommittee on Courts, the Internet, and Intellectual Property. The Amendment in the Nature of a Substitute to H.R. 2795.

Patent Reform Act of 2006 - Modifies conditions under which a patent may be obtained for an invention or discovery, including by: (1) defining "inventor" to include a joint inventor and coinventor; (2) making the effective filing date of a claimed invention the filing date of the patent or the patent application; and (3) revising procedures for patent interference disputes.

Renames the Board of Patent Appeals as the Patent Trial and Appeal Board. Revises provisions relating to the Board's composition, duties, and authorities.

Revises requirements for an inventor's oath or declaration to allow substitute statements in specified circumstances (e.g., death, disability) and supplemental and corrected statements.

Allows a third party assignee (other than the inventor) or a person with a proprietary interest to file a patent application.

Modifies provisions relating to patent infringement litigation to: (1) allow increased damages for willful infringement; (2) grant attorney fees to a prevailing party in patent infringement litigation (unless the position of nonprevailing party is substantially justified); (3) specify permitted grounds for unenforceability of a patent; and (4) expand the prior user defense.

Allows a person who is not the patent owner to file a petition with the Patent Trial and Appeal Board to cancel a patent as invalid (post-grant review). Sets forth procedures for the consideration of such petitions.

Allows third parties to submit documents relevant to the examination of a patent application.

Revises venue requirements for civil patent actions to allow actions to be brought in the judicial district where either party resides (currently, where the defendant resides).

Actions Timeline

- **Aug 3, 2006:** Introduced in Senate
- **Aug 3, 2006:** Sponsor introductory remarks on measure. (CR S8829-8832)
- **Aug 3, 2006:** Read twice and referred to the Committee on the Judiciary.