

S 3295

A bill to amend title 35, United States Code, and the Trademark Act of 1946 to provide that the Secretary of Commerce, in consultation with the Director of the United States Patent and Trademark Office, shall appoint administrative patent judges and administrative trademark judges, and for other purposes.

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Jul 21, 2008

Current Status: Became Public Law No: 110-313.

Latest Action: Became Public Law No: 110-313. (Aug 12, 2008)

Law: 110-313 (Enacted Aug 12, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/senate-bill/3295>

Sponsor

Name: Sen. Leahy, Patrick J. [D-VT]

Party: Democratic • **State:** VT • **Chamber:** Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Specter, Arlen [R-PA]	R · PA		Jul 21, 2008

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Discharged From	Jul 22, 2008
Judiciary Committee	House	Referred To	Jul 23, 2008

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
110 HR 6362	Identical bill	Jun 25, 2008: Referred to the House Committee on the Judiciary.

(This measure has not been amended since it was passed by the Senate on July 22, 2008. The summary of that version is repeated here.)

Transfers from the director of the United States Patent and Trademark Office (PTO) to the Secretary of Commerce the authority to appoint administrative patent judges and administrative trademark judges. Requires the Secretary to consult with the director on such appointments. Names the PTO's deputy director as an additional member of the Trademark Trial and Appeal Board.

Authorizes the Secretary, in his or her discretion, to deem the appointment of an administrative patent judge or an administrative trademark judge who, before enactment, held office pursuant to an appointment by the director to take effect on the date on which the director initially appointed the administrative patent judge.

Makes it a defense to a challenge to the appointment of an administrative patent judge or an administrative trademark judge on the basis of the judge's having been originally appointed by the director that the administrative patent judge so appointed was acting as a de facto officer.

Actions Timeline

- **Aug 12, 2008:** Signed by President.
- **Aug 12, 2008:** Became Public Law No: 110-313.
- **Aug 5, 2008:** Presented to President.
- **Jul 31, 2008:** Considered as unfinished business. (consideration: CR H7707)
- **Jul 31, 2008:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote.(text: CR 7/29/2008 H7233-7234)
- **Jul 31, 2008:** On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR 7/29/2008 H7233-7234)
- **Jul 31, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 31, 2008:** Cleared for White House.
- **Jul 29, 2008:** Mr. Cohen moved to suspend the rules and pass the bill.
- **Jul 29, 2008:** DEBATE - The House proceeded with forty minutes of debate on S. 3295.
- **Jul 29, 2008:** Considered under suspension of the rules. (consideration: CR H7233-7235)
- **Jul 29, 2008:** At the conclusion of debate, the chair put the question on the motion to suspend the rules. Mr. King (IA) objected to the vote on the grounds that a quorum was not present. Further proceedings on the motion were postponed. The point of no quorum was withdrawn.
- **Jul 23, 2008:** Received in the House.
- **Jul 23, 2008:** Message on Senate action sent to the House.
- **Jul 23, 2008:** Referred to the House Committee on the Judiciary.
- **Jul 22, 2008:** Senate Committee on the Judiciary discharged by Unanimous Consent.(consideration: CR S7079)
- **Jul 22, 2008:** Senate Committee on the Judiciary discharged by Unanimous Consent. (consideration: CR S7079)
- **Jul 22, 2008:** Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent.(text: CR S7079)
- **Jul 22, 2008:** Passed Senate without amendment by Unanimous Consent. (text: CR S7079)
- **Jul 21, 2008:** Introduced in Senate
- **Jul 21, 2008:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S6976)