

S 610

Patent Reform Act of 2009

Congress: 111 (2009–2011, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Mar 17, 2009

Current Status: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S3166-

Latest Action: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S3166-3175) (Mar 17, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/senate-bill/610>

Sponsor

Name: Sen. Kyl, Jon [R-AZ]

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

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Mar 17, 2009

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
111 S 515	Related bill	May 12, 2009: By Senator Leahy from Committee on the Judiciary filed written report. Report No. 111-18. Additional, Minority and Supplemental views filed.
111 HR 1260	Related bill	Apr 30, 2009: Committee Hearings Held.

Patent Reform Act of 2009 - Amends federal patent law to rewrite provisions concerning the conditions for patentability.

Defines "effective filing date of a claimed invention" as the filing date of the patent or the application for patent containing the claim to the invention (thus establishing a first-to-file system).

Revises various other rights and requirements related to patents, including regarding: (1) damages; (2) post-grant procedures; (3) citation of prior art; (4) *inter partes* reexaminations; (5) submissions by third parties; (6) venue; (7) the regulatory authority of the Patent and Trademark Office; and (8) inequitable conduct.

Replaces the Board of Patent Appeals and Interferences with the Patent Trial and Appeal Board.

Shields a financial institution that infringes by using a check collection system from the infringement remedies of civil actions, injunctions, damages, and attorney's fees, but does not (in specified circumstances) limit the enforcement rights of the patent's original owner. Applies the amendment made by this paragraph to any civil action for infringement pending or filed on or after the date of enactment of this Act.

Establishes a revolving fund to be known as the United States Patent and Trademark Office Public Enterprise Fund. Deposits into the Fund fees received under specified provisions and makes Fund amounts available for all expenses of the U.S. Patent and Trademark Office (USPTO).

Actions Timeline

- **Mar 17, 2009:** Introduced in Senate
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