

S 926

Grace Period Restoration Act of 2015

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Apr 14, 2015

Current Status: Committee on Small Business and Entrepreneurship. Hearings held. Hearings printed: S.Hrg. 114-603.

Latest Action: Committee on Small Business and Entrepreneurship. Hearings held. Hearings printed: S.Hrg. 114-603. (Feb 25, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/926>

Sponsor

Name: Sen. Baldwin, Tammy [D-WI]

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

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Vitter, David [R-LA]	R · LA		Apr 14, 2015

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Apr 14, 2015
Small Business and Entrepreneurship Committee	Senate	Hearings By (full committee)	Feb 25, 2016

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
114 HR 1791	Identical bill	May 15, 2015: Referred to the Subcommittee on Courts, Intellectual Property, and the Internet.

Grace Period Restoration Act of 2015

Amends federal patent law to revise the one-year grace period under the Leahy-Smith America Invents Act (AIA) that prohibits certain pre-filing disclosures made during the year preceding the effective filing date of a claimed invention from being considered prior art that would make the claim ineligible for a patent based on lack of novelty or obvious subject matter grounds. (A disclosure that is prior art generally means that a patent cannot be issued for a claimed invention because the invention was already patented, described in a printed publication, in public use, on sale, available to the public, or described in an issued patent or a previously filed application.)

Prohibits an inventor's or any other person's pre-filing disclosure from barring the patentability of certain claims based on lack of novelty or obvious subject matter grounds if, before such disclosure and within the one-year period before the filing date, the claimed invention was already publicly disclosed in a printed publication by the inventor, a joint inventor, or another who obtained the claimed invention from the inventor or a joint inventor. Allows an inventor who discloses an invention in a printed publication in such a manner in the year before filing a patent claim for the invention to remain entitled to the patent, regardless of any subsequent disclosures by third parties.

Excludes certain disclosures from being considered prior art under the revised grace period.

Requires the amendments made by this Act to take effect as if enacted as part of the AIA.

Actions Timeline

- **Feb 25, 2016:** Committee on Small Business and Entrepreneurship. Hearings held. Hearings printed: S.Hrg. 114-603.
- **Apr 14, 2015:** Introduced in Senate
- **Apr 14, 2015:** Read twice and referred to the Committee on the Judiciary.