



**GENERAL COUNSEL OF THE  
UNITED STATES DEPARTMENT OF COMMERCE**  
Washington, D.C. 20230

July 16, 2007

The Honorable Richard B. Cheney  
President of the Senate  
Washington, DC 20510

Dear Mr. President:

Enclosed is a draft bill entitled the "Patent Law Treaty Implementation Act," together with a Statement of Purpose and Need and sectional analysis.

The bill implements the Patent Law Treaty and makes limited changes to the federal patent law, in title 35 of the United States Code, to simplify and streamline patent law and practice. Amendments to provisions of title 35, United States Code, concern patent application filing dates; relief in respect of time limits and reinstatement of rights; and the restoration of the priority right. Among other things, the claim requirement for a filing date for a patent application filed under section 111(a) of title 35 is eliminated and reference filing is accommodated in a new section 111(c). Reinstatement of rights is made uniform throughout title 35 and based on an "unintentional delay" standard. Restoration of the priority right is provided by accommodating delayed filings in sections 119(a) and (e)(1), 102(a) and 102(d) of title 35. Additionally, the bill has other conforming amendments.

The bill provides that the amendments will take effect on the date that is one year after the date of enactment of the Act and will apply to all patents, whenever granted, and to all applications for patents pending on or filed after the date that is one year after the date of enactment of the Act.

We have been advised by the Office of Management and Budget that there is no objection to the submission of this legislative proposal to the Congress, and that its enactment would be in accord with the program of the President.

Sincerely,

A handwritten signature in black ink, appearing to read "John J. Sullivan".

John J. Sullivan

Enclosures

Identical Letters to be Sent to:

The Honorable Harry Reid  
Senate Majority Leader  
United States Senate  
Washington, D.C. 20510

The Honorable Mitch McConnell  
Senate Minority Leader  
United States Senate  
Washington, D.C. 20510

The Honorable Patrick J. Leahy  
Chairman, Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

The Honorable Arlen Specter  
Ranking Member, Committee on the  
Judiciary  
United States Senate  
Washington, D.C. 20510

The Honorable Nancy Pelosi  
Speaker of the House  
of Representatives  
Washington, D.C. 20515

The Honorable Steny H. Hoyer  
Majority Leader  
House of Representatives  
Washington, D.C. 20515

The Honorable John A. Boehner  
Republican Leader  
House of Representatives  
Washington, D.C. 20515

The Honorable John Conyers  
Chairman, Committee on the Judiciary  
House of Representatives  
Washington, D.C. 20515

The Honorable Lamar S. Smith  
Ranking Member  
Committee on the Judiciary  
House of Representatives  
Washington, D.C. 20515

The Honorable Howard Berman  
Chairman, Subcommittee on Courts,  
the Internet, and Intellectual Property  
Committee on the Judiciary  
House of Representatives  
Washington, D.C. 20515

The Honorable Howard Coble  
Ranking Member, Subcommittee on Courts,  
the Internet, and Intellectual Property  
Committee on the Judiciary  
House of Representatives  
Washington, D.C. 20515