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Citation: 1 To Enhance Fairness in Compensating Owners of  
Used by the United States P.L. 104-308 110 Stat. 3814  
1996

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103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4558

To enhance fairness in compensating owners of patents used by the United States.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 1994

Mr. FROST introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To enhance fairness in compensating owners of patents used by the United States.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. JUST COMPENSATION.**

4       (a) AMENDMENT.—Section 1498(a) of title 28,  
5       United States Code, is amended by adding at the end of  
6       the first paragraph the following: “Reasonable and entire  
7       compensation shall include the owner’s reasonable costs,  
8       including reasonable fees for expert witnesses and attor-  
9       neys, in pursuing the action if the owner is an independent  
10      inventor, a nonprofit organization, or an entity that had

1 no more than 500 employees at any time during the 5-  
2 year period preceding the use or manufacture of the pat-  
3 ented invention by or for the United States.”.

4 (b) EFFECTIVE DATE.—The amendment made by  
5 subsection (a) shall apply to actions under section 1498(a)  
6 of title 28, United States Code, that are pending on, or  
7 brought on or after, January 1, 1993.

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