

TITLE 35.—PATENTS

Chapter 1.—PATENT OFFICE

§ 16. Multigraphing headings of drawings for patented cases.

REPEATED.—Act June 28, 1941, ch. 258, title II, 55 Stat. 286.

Chapter 2.—PATENTS

GENERAL PROVISIONS GOVERNING APPLICATION FOR AND ISSUE OF PATENTS

Sec.

- 42a. Same; filing application in foreign country (New).
42b. Same; persons debarred from United States patent for failure to comply with section 42a; invalidity of patent (New).
42c. Same; penalties and forfeitures for disclosure without authorization (New).
42d. Separability clause (New).
42e. Same; definitions covering sections 42–42f (New).
42f. Same; persons exempt from provisions of sections 42–42f (New).

INVENTIONS PATENTABLE

§§ 31, 32.

CROSS REFERENCES

Persons debarred from United States patents, see section 42b of this title.

GENERAL PROVISIONS GOVERNING APPLICATION FOR AND ISSUE OF PATENTS

§ 42. Same; publication detrimental to public safety or defense; compensation for use of invention tendered to United States.

CROSS REFERENCES

Penalties and forfeitures for disclosure without authorization, see section 42c of this title.

§ 42a. Same; filing application in foreign country.

No person shall file or cause or authorize to be filed in any foreign country an application for patent or for the registration of a utility model, industrial design, or model in respect of any invention made in the United States, except when authorized in each case by a license obtained from the Commissioner of Patents under such rules and regulations as he shall prescribe. (July 1, 1940, ch. 501, § 3, as added Aug. 21, 1941, ch. 393, § 1, 55 Stat. 657.)

EFFECTIVE DATE

Section 2 of act of Aug. 21, 1941, cited to text, became effective thirty days after approval.

§ 42b. Same; persons debarred from United States patent for failure to comply with section 42a; invalidity of patent.

Notwithstanding the provisions of sections 31 and 32 of this title, any person and the successors, assigns, or legal representatives of any such person shall be debarred from receiving a United States patent for an invention if such person, or such successors, assigns, or legal representatives shall, without procuring the authorization prescribed in section 42a of this title, have made or consented to or as-

sisted another's making application in a foreign country for a patent or for the registration of a utility model, industrial design, or model in respect of such invention where authorization for such application is required by the provisions of section 42a of this title, and any such United States patent actually issued to any such person, successors, assigns, or legal representatives so debarred or becoming debarred shall be invalid. (July 1, 1940, ch. 501, § 4, as added Aug. 21, 1941, ch. 393, § 1, 55 Stat. 657.)

EFFECTIVE DATE

For effective date, see note under section 42a of this title.

§ 42c. Same; penalties and forfeitures for disclosure without authorization.

Whoever, during the period or periods of time an invention has been ordered to be kept secret and the grant of a patent thereon withheld pursuant to section 42 of this title, shall, with knowledge of such order and without due authorization, willfully publish or disclose or authorize or cause to be published or disclosed such invention, or any material information with respect thereto, or whoever, in violation of the provisions of section 42a of this title, shall file or cause or authorize to be filed in any foreign country an application for patent or for the registration of a utility model, industrial design, or model in respect of any invention made in the United States, shall, upon conviction, be fined not more than \$10,000 or imprisoned for not more than two years, or both. (July 1, 1940, ch. 501, § 5, as added Aug. 21, 1941, ch. 393, § 1, 55 Stat. 657.)

EFFECTIVE DATE

For effective date, see note under section 42a of this title.

§ 42d. Separability clause.

If any provision of sections 42–42f of this title or the application of such provision to any person or circumstances shall be held invalid, the remainder of said sections and application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby. (July 1, 1940, ch. 501, § 6, as added Aug. 21, 1941, ch. 393, § 1, 55 Stat. 657.)

EFFECTIVE DATE

For effective date, see note under section 42a of this title.

§ 42e. Same; definitions covering sections 42–42f.

As used in sections 42–42f of this title—

The term "person" includes any individual, trustee, corporation, partnership, association, firm, or any other combination of individuals.

The term "application" includes applications, and any modifications, amendments, or supplements