(3) waives the right to receive a patent on the invention within such period as may be prescribed by the Commissioner; and

(4) pays application, publication, and other processing fees established by the Commissioner.

If an interference is declared with respect to such an application, a statutory invention registration may not be published unless the issue of priority of invention is finally determined in favor of the applicant.

(b) The waiver under subsection (a)(3) of this section by an applicant shall take effect upon publication of the statutory invention registration.

(c) A statutory invention registration published pursuant to this section shall have all of the attributes specified for patents in this title except those specified in section 183 and sections 271 through 289 of this title. A statutory invention registration shall not have any of the attributes specified for patents in any other provision of law other than this title. A statutory invention registration published pursuant to this section shall give appropriate notice to the public, pursuant to regulations which the Commissioner shall issue, of the preceding provisions of this subsection. The invention with respect to which a statutory invention certificate is published is not a patented invention for purposes of section 292 of this title.

(d) The Secretary of Commerce shall report to the Congress annually on the use of statutory invention registrations. Such report shall include an assessment of the degree to which agencies of the Federal Government are making use of the statutory invention registration system, the degree to which it aids the management of federally developed technology, and an assessment of the cost savings to the Federal Government of the use of such procedures.

(Added Pub. L. 98-622, title I, § 102(a), Nov. 8, 1984, 98 Stat. 3383.)

CHAPTER 15—PLANT PATENTS

§ 161. Patents for plants

Whoever invents or discovers and asexually reproduces any distinct and new variety of plant, including cultivated sports, mutants, hybrids, and newly found seedlings, other than a tuber propagated plant or a plant found in an uncultivated state, may obtain a patent therefor, subject to the conditions and requirements of this title.

The provisions of this title relating to patents for inventions shall apply to patents for plants, except as otherwise provided.

HISTORICAL AND REVISION NOTES
Language is changed.

TRANSFER OF FUNCTIONS
For transfer of functions of other officers, employees, and agencies of the Department of Agriculture, with certain exceptions, to the Secretary of Agriculture, with power to delegate, see Reorg. Plan No. 2 of 1953, § 1, eff. June 4, 1953, 18 F.R. 3219, 67 Stat. 635, set out in the Appendix to Title 5, Government Organization and Employees.

CROSS REFERENCES
Agricultural research on plants, see section 427 of Title 7, Agriculture.
Plant Variety Protection, see chapter 57 of Title 7.

CHAPTER 16—DESIGNS

§ 171. Patents for designs

Whoever invents any new, original and ornamental design for an article of manufacture may obtain a patent therefor, subject to the conditions and requirements of this title.

The provisions of this title relating to patents for inventions shall apply to patents for designs, except as otherwise provided.

(July 19, 1952, ch. 950, 66 Stat. 805.)

HISTORICAL AND REVISION NOTES
The list of conditions specified in the corresponding section of existing statute is omitted as unnecessary in view of the general inclusion of all conditions applying to other patents. Language is changed.

CROSS REFERENCES
Additional remedy for infringement of design patent, see section 289 of this title.
Patentability of inventions generally, see section 100 et seq. of this title.
Unauthorized use of patented designs, see section 289 of this title.

§ 172. Right of priority

The right of priority provided for by section 119 of this title and the time specified in section 102(d) shall be six months in the case of designs.

(July 19, 1952, ch. 950, 66 Stat. 805.)

HISTORICAL AND REVISION NOTES
This provision is taken from R.S. 4887 (see section 119) and made a separate section.

§ 173. Term of design patent

Patents for designs shall be granted for the term of fourteen years.