

AMENDMENT NO. _____ Calendar No. _____

Purpose: To exempt parties from the discovery limitations for patent infringement actions if the alleged infringement would likely result in the loss of jobs.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

S. 1137

To amend title 35, United States Code, and the Leahy-Smith America Invents Act to make improvements and technical corrections, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. COONS

Viz:

1 On page 18, strike lines 1 through 3 and insert the
2 following:

3 “(2) EXEMPTIONS.—This section shall not
4 apply to a civil action that—

5 “(A) includes a claim for relief arising
6 under section 271(e); or

7 “(B) is brought by a party that certifies
8 that it holds a good faith belief, based on pub-
9 licly available information and any other infor-
10 mation known to the party, that the alleged in-
11 fringement, if not remedied in a timely manner,

1 will result in the loss of at least 20 full-time
2 manufacturing or research-related jobs.