



CONGRESSIONAL BUDGET OFFICE
COST ESTIMATE

March 27, 2006

H.R. 4742

A bill to amend title 35, United States Code, to allow the Director of the Patent and Trademark Office to waive statutory provisions governing patents and trademarks in certain emergencies

As ordered reported by the House Committee on the Judiciary on March 15, 2006

H.R. 4742 would authorize the Patent and Trademark Office (PTO) to waive certain requirements related to the processing and filing of patents and trademarks for applicants affected by an emergency or major disaster. CBO estimates that implementing H.R. 4742 would not have a significant net effect on spending subject to appropriation. Enacting the bill could affect direct spending in 2006, but CBO estimates that any such effects would not be significant. The bill would not affect revenues. For this estimate, CBO assumes the bill will be enacted near the end of fiscal year 2006.

H.R. 4742 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

Under current law, the PTO is authorized to collect fees from the public for specific activities related to processing applications for patents and trademarks. The collection and spending of those fees are subject to provisions in annual appropriation acts, and the fees are recorded in the budget as offsets to the discretionary spending of the PTO. To the extent that the PTO might waive or delay fee requirements for applicants affected by an emergency or major disaster, H.R. 4742 could decrease the amount of fees collected by the PTO. Based on information provided by the PTO, however, we estimate that H.R. 4742 would not result in a significant decrease in the amount of fees collected because of the small number of applicants likely to be affected in any year.

The CBO staff contact for this estimate is Melissa Z. Petersen. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.