

May 24, 1928.

[S. 2823.]

[Public, No. 501.]

Patents.

U. S. Code, p. 1170.

Reissue of any inoperative patent if error inadvertent and without any fraud.

R. S., sec. 4916, p. 950, amended.

Several patents may be issued for separate parts of the thing patented.

Effect as if originally filed in corrected form.

No new matter to be introduced.

CHAP. 730.—An Act Amending the Statutes of the United States with respect to reissue of defective patents.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4916 of the Revised Statutes of the United States be, and the same is hereby, amended to read as follows:

"SEC. 4916. Whenever any patent is wholly or partly inoperative or invalid, by reason of a defective or insufficient specification, or by reason of the patentee claiming as his own invention or discovery more than he had a right to claim as new, if the error has arisen by inadvertence, accident, or mistake, and without any fraudulent or deceptive intention, the commissioner shall, on the surrender of such patent and the payment of the duty required by law, cause a patent for the same invention, and in accordance with the corrected specification, to be reissued to the patentee or to his assigns or legal representatives, for the unexpired part of the term of the original patent. Such surrender shall take effect upon the issue of the reissued patent, but in so far as the claims of the original and reissued patents are identical, such surrender shall not affect any action then pending nor abate any cause of action then existing, and the reissued patent to the extent that its claims are identical with the original patent shall constitute a continuation thereof and have effect continuously from the date of the original patent. The commissioner may, in his discretion, cause several patents to be issued for distinct and separate parts of the thing patented, upon demand of the applicant, and upon payment of the required fee for a reissue for each of such reissued letters patent. The specifications and claims in every such case shall be subject to revision and restriction in the same manner as original applications are. Every patent so reissued, together with the corrected specifications, shall have the same effect and operation in law, on the trial of all actions for causes thereafter arising, as if the same had been originally filed in such corrected form; but no new matter shall be introduced into the specification, nor in case of a machine patent shall the model or drawings be amended, except each by the other; but when there is neither model nor drawing, amendments may be made upon proof satisfactory to the commissioner that such new matter or amendment was a part of the original invention, and was omitted from the specification by inadvertence, accident, or mistake, as aforesaid."

Approved, May 24, 1928.

May 24, 1928.

[S. 4229.]

[Public, No. 502.]

Mississippi River.
Time extended for bridging by New Orleans, La.
Vol. 43, p. 103, amended.

Proviso.
Resubmission of plans required.

Amendment.

CHAP. 731.—An Act To extend the time for completing the constructing of a bridge across the Mississippi River near and above the city of New Orleans, Louisiana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for completing the construction of a bridge across the Mississippi River near and above the city of New Orleans, Louisiana, authorized by Act of Congress approved April 17, 1924, to be built by the city of New Orleans, a municipal corporation existing under the laws of the State of Louisiana, its successors and assigns, through its Public Belt Railroad Commission, is hereby extended five years from the date of the approval hereof: *Provided*, That it shall not be lawful to continue the construction of said bridge until plans thereof shall again be submitted to and approved by the Chief of Engineers and by the Secretary of War.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 24, 1928.