AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

such applicant is entitled, according to law, to receive a patent for his invention, as specified in his claim or for any part thereof, as the facts in the case may appear."

Effective date.

SEC. 5. That this Act shall take effect two months after its approval; but it shall not affect interferences then pending, which may be heard and decided and appeals and other proceedings taken under the statutes in force at the time of approval of this Act as if such statutes had not been amended.

Approved, August 5, 1939.

[CHAPTER 452]

AN ACT

August 5, 1939
[H. R. 6875]
[Public, No. 288]

To amend section 4903 of the Revised Statutes (U. S. C., title 35, sec. 51).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4903 of the Revised Statutes (U. S. C., title 35, sec. 51) be amended by adding at the end thereof the following:

Patents.
R. S. § 4903.
35 U. S. C. § 51.

"No amendment for the first time presenting or asserting a claim which is the same as, or for substantially the same subject matter as, a claim of an issued patent may be made in any application unless such amendment is filed within one year from the date on which said patent was granted."

Time within which an interference may be permitted.

SEC. 2. This Act shall take effect one year after its approval.

Effective date.

Approved, August 5, 1939.

[CHAPTER 453]

AN ACT

August 5, 1939
[H. R. 6925]
[Public, No. 289]

To waive the age limit for appointment as second lieutenant, Regular Army, of certain persons now on active duty with the Air Corps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provision of law which prohibits the appointment as a second lieutenant in the Air Corps, Regular Army, of a person above the age of thirty years, any Reserve officer of the Air Corps now on extended active duty with the Air Corps who on the date of enactment of this Act has served not less than a total of two years on such extended active duty or on duty as an enlisted pilot or both, and who on the date of enactment of this Act is over thirty years of age by a period not in excess of the total such active duty performed by him, and any warrant officer and enlisted man now in the active service in the Regular Army who is a qualified pilot, shall be eligible, if otherwise qualified, to be appointed in the fiscal year 1940 as a second lieutenant, Air Corps, of the Regular Army: *Provided*, That vacancies in the Air Corps, Regular Army, which are to be filled in the fiscal year 1940 upon the basis of competitive examinations held in the fiscal year 1940, shall be apportioned to applicants under this Act in the ratio that the number of such applicants bears to the total number of applicants for appointment in the Air Corps, Regular Army, under other provisions of law: *And provided further*, That applicants for appointment under this Act shall be given qualifying examinations separate and distinct from those given to other applicants for commission.

Regular Army.
Age limit for appointment as second lieutenant, of certain persons on active duty, Air Corps, waived.

Service and age requirements.

Warrant officers, etc., Regular Army, who are qualified pilots.

Appointments for fiscal year 1940.
Provisos.
Filling vacancies, 1940, ratio of apportionments.

Examinations.

Approved, August 5, 1939.