erwise provided. It shall apply to unexpired patents granted prior to such date except as otherwise pro-
vided.

(b) Section 102(b) of Title 35, as enacted by section 1 hereof, shall not apply to existing patents and pending applications, but the law previously in effect, namely the first paragraph of R. S. 4867 (first paragraph of section 32 of former Title 35), shall apply to such patents and applications.

“(c) Section 119, second paragraph, of Title 35 as en-
acted by section 1 hereof shall not apply to existing patents.

“(d) The period of one year specified in section 102(b) of Title 35 as enacted by section 1 hereof shall not apply in the case of applications filed before August 5, 1940, and patents granted on such applications, and with respect to such applications and patents, said pe-
period is two years instead of one year.

“(e) Nothing contained in Title 35, as enacted by sec-
tion 1 hereof, shall operate to nullify any judicial find-
ing prior to the effective date of this Act on the valid-
ity of any patent by a court of competent jurisdiction.

“(f) Nothing in Title 35, as enacted by section 1 here-

“(g) The period of one year specified in section 4 of Title 35 as enacted by section 1 hereof shall not apply in the case of applications filed before the effective date of this Act.

“(h) The repeal of sections 1–9, 11, 12 of the Act of Congress approved February 1, 1952 (ch. 4, 66 Stat. 3) [sections 151 to 159 of former Title 35], shall not affect any rights or liabilities existing on the date of approval of this Act (July 19, 1952). An order of secrecy issued under the repealed Act and in effect on the date of approval of this Act, shall be considered as issued under this Act, and any claims arising under the repealed Act or subject to presentation and deter-
mination pursuant thereto and unsettled as of the ef-
fective date of this Act, may be presented and deter-
mined pursuant to the provisions of this Act [this title].”

Repeals

Section 5 of act July 19, 1952, ch. 950, 66 Stat. 815, re-
pelled the sections or parts of sections of the Revised Statutes or Statutes at Large codified in this Act with the proviso that “Any rights or liabilities now existing under such sections or parts thereof shall not be af-
fected by this repeal.”

PART I—UNITED STATES PATENT AND TRADEMARK OFFICE

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AMENDMENTS


ing, substituting “Powers and duties” for “Seal” in items 1, 2, adding item 5, renumbering items 7 to 14 as 6 to 13, respectively, striking out former item 6, “Duties of Commissioner”, and inserting “and applications” after “patents” in items 11 and 12.

ing, substituting “Powers and duties” for “Seal” in items 1, 2, adding item 5, renumbering items 7 to 14 as 6 to 13, respectively, striking out former item 6, “Duties of Commissioner”, and inserting “and applications” after “patents” in items 11 and 12.

ther item to reflect the probable intent of Congress. See above.


§ 1. Establishment.

(a) ESTABLISHMENT.—The United States Pat-
et and Trademark Office is established as an agency of the United States, within the Dep-
artment of Commerce. In carrying out its func-
tions, the United States Patent and Trademark Office shall be subject to the policy direction of the Secretary of Commerce, but otherwise shall retain responsibility for decisions regarding the management and administration of its oper-
ations and shall exercise independent control of its budget allocations and expenditures, personnel decisions and processes, procurements, and other administrative and management functions in accordance with this title and applicable provisions of law. Those operations designed to grant and issue patents and those operations which are designed to facilitate the registration of trademarks shall be treated as separate operating units within the Office.

(b) OFFICES.—The United States Patent and Trademark Office shall maintain its principal office in the metropolitan Washington, D.C., area, for the service of process and papers and for the purpose of carrying out its functions. The United States Patent and Trademark Office shall be deemed, for purposes of venue in civil actions, to be a resident of the district in which its principal office is located, except where jurisdiction is otherwise provided by law. The United States Patent and Trademark Office may establish satellite offices in such other places in the United States as it considers necessary and appropriate in the conduct of its business.

(c) REFERENCE.—For purposes of this title, the United States Patent and Trademark Office shall also be referred to as the ‘Office’ and the ‘Patent and Trademark Office’.

HISTORICAL AND REVISION NOTES


The word ‘all’ is omitted from the corresponding section of the existing statute and ‘except as otherwise provided by law’ added, since some old records are kept in the National Archives, see 44 U.S.C., 1946 ed., ch. 8A.

The word ‘models’ has been omitted to remove emphasis on models since they are no longer generally required. They are included by the word ‘things’.

The phrase ‘and to trade-mark registrations’ is added. There is no enactment corresponding to this section in the trade-mark law. The original chapter of the Revised Statutes containing this section deals with the Patent Office as such in its administration of trademark registrations, specifications, and other papers and things pertaining to patents and to trademark registrations shall be kept and preserved, except as otherwise provided by law.


STORY AND TRADEMARKS.

Effective Date of 2011 Amendment

Pub. L. 112–29, §35, Sept. 16, 2011, 125 Stat. 341, provided that: ‘‘Except as otherwise provided in this Act [see Short Title of 2011 Amendment note below], the provisions of this Act shall take effect upon the expiration of the 1-year period beginning on the date of the enactment of this Act [Sept. 16, 2011] and shall apply to any patent issued on or after that effective date.’’

Effective Date of 1999 Amendment

Pub. L. 106–113, div. B, §1000(a)(9) [title IV, subtitle G, §4731], Nov. 29, 1999, 113 Stat. 1536, 1501A–581, provided that: ‘‘This subtitle [see Tables for classification] and the amendments made by this subtitle shall take effect 4 months after the date of the enactment of this Act [Nov. 29, 1999].’’

Effective Date of 1975 Amendment


Title 35—Patents

Section 115—Patents

Title of 2023 Amendment

Pub. L. 117–328, div. W, §101, Dec. 28, 2022, 136 Stat. 5518, provided that: ‘‘This division [amending sections 41 and 123 of this title, enacting provisions set out as notes under this section and sections 2 and 131 of this title, and amending provisions set out as notes under this section and section 41 of this title] may be cited as the ‘Unleashing American Innovators Act of 2023’. ‘’

Title of 2018 Amendment


Title of 2012 Amendment


Title of 2011 Amendment


Title of 2004 Amendment

§ 1 TITLE 35—PATENTS

and enacting provisions set out as a note under section 103 of this title] may be cited as the ‘Cooperative Research and Technology Enhancement (CREATE) Act of 2004’.

Short Title of 2002 Amendment


Short Title of 1999 Amendment


Short Title of 1988 Amendment


Short Title of 1984 Amendment


Transfer of Functions and Assets of Patent and Trademark Office


‘‘SEC. 4741. REFERENCES.

‘‘(a) IN GENERAL.—Any reference in any other Federal law, Executive order, rule, regulation, or any delegation of authority, or any document of or pertaining to a department or office from which a function is transferred by this subtitle [see Tables for classification]—

‘‘(1) to the head of such department or office is deemed to refer to the head of the department or office to which such function is transferred; or

‘‘(2) to such department or office is deemed to refer to the department or office to which such function was transferred.

‘‘(b) SPECIFIC REFERENCES.—Any reference in any other Federal law, Executive order, rule, regulation, or any delegation of authority, or any document of or pertaining to the Patent and Trademark Office—

‘‘(1) to the Commissioner of Patents and Trademarks is deemed to refer to the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office;

‘‘(2) to the Assistant Commissioner for Patents is deemed to refer to the Commissioner for Patents;

‘‘(3) to the Assistant Commissioner for Trademarks is deemed to refer to the Commissioner for Trademarks.

‘‘SEC. 4742. EXERCISE OF AUTHORITIES.

Except as otherwise provided by law, a Federal official to whom a function is transferred by this subtitle may, for purposes of performing the function, exercise all authorities under any other provision of law that were available with respect to the performance of that function to the official responsible for the performance of the function immediately before the effective date of the transfer of the function under this subtitle.

‘‘SEC. 4743. SAVINGS PROVISIONS.

‘‘(a) LEGAL DOCUMENTS.—All orders, determinations, rules, regulations, permits, grants, loans, contracts, agreements, certificates, licenses, and privileges—

‘‘(1) that have been issued, made, granted, or allowed to become effective by the President, the Sec-
retary of Commerce, any officer or employee of any office transferred by this subtitle, or any other Gov-
ernment official, or by a court of competent jurisdic-
tion, in the performance of any function that is transferred by this subtitle; and

“(2) that are in effect on the effective date of such transfer (or become effective after such date pursuant to
their terms as in effect on such effective date) shall continue in effect according to their terms until
modified, terminated, superseded, set aside, or re-
voked in accordance with law by the President, any other
authorized official, a court of competent jurisdic-
tion, or operation of law.

“(b) PROCEEDINGS.—This subtitle shall not affect any proceedings or any application for any benefits, serv-
ice, license, permit, certificate, or financial assistance pending on the effective date of this subtitle (see Effective
Date of 1999 Amendment note above) before an office
transferred by this subtitle, but such proceedings and applications shall be continued. Orders shall be
issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to
such orders, as if this subtitle had not been enacted, and orders issued in any such proceeding shall continue
in effect until modified, terminated, superseded, or re-
voked by a duly authorized official, by a court of com-
petent jurisdiction, or by operation of law. Nothing in
this subsection shall be construed to prohibit the dis-
continuance or modification of any such proceeding under the same terms and conditions and to the same
extent that such proceeding could have been discon-
tinued or modified if this subtitle had not been enacted.

“(c) SUITS.—This subtitle shall not affect suits com-
enced before the effective date of this subtitle, and in
all such suits, proceedings shall be had, appeals taken,
and judgments rendered in the same manner and with
the same effect as if this subtitle had not been enacted.

“(d) NONABATEMENT OF ACTIONS.—No suit, action, or
other proceeding commenced by or against the Depart-
ment of Commerce or the Secretary of Commerce, or
by or against any individual in the official capacity of
such individual as an officer or employee of an office
transferred by this subtitle, shall abate by reason of the
enactment of this subtitle.

“(e) CONTINUANCE OF SUITS.—If any Government offi-
cer in the official capacity of such officer is party to a
suit with respect to a function of the officer, and under
this subtitle such function is transferred to any other
officer or office, then such suit shall be continued with
the other officer or the head of such other office, as ap-
plied, substituted or added as a party.

“(f) ADMINISTRATIVE PROCEDURE AND JUDICIAL RE-
VIEW.—Except as otherwise provided by this subtitle, any
statutory requirements relating to notice, hearings,
action upon the record, or administrative or judi-
cial review that apply to any function transferred by
this subtitle shall apply to the exercise of such func-
tion by the head of the Federal agency, and other offi-
cers of the agency, to which such function is trans-
ferred by this subtitle.

“SEC. 474. TRANSFER OF ASSETS.

“Except as otherwise provided in this subtitle, so
much of the personnel, property, records, and unex-
pended balances of appropriations, allocations, and
other funds employed, used, held, available, or to be
made available in connection with a function trans-
ferred to an official or agency by this subtitle shall be
available to the official or the head of that agency, re-
spectively, at such time or times as the Director of the
Office of Management and Budget directs for use in
connection with the functions transferred.

“SEC. 474. DELEGATION AND ASSIGNMENT.

“Except as otherwise expressly prohibited by law or
otherwise provided in this subtitle, an official to whom
functions are transferred under this subtitle (including
the head of any office to which functions are trans-
ferred under this subtitle) may delegate any of the
functions so transferred to such officers and employees
of the office of the official as the official may des-
ignate, and may authorize successive redelegations of
such functions as may be necessary or appropriate. No
delegation of functions under this section or under any
other provision of this subtitle shall relieve the official
to whom a function is transferred under this subtitle of
responsibility for the administration of the function.

“SEC. 4746. AUTHORITY OF DIRECTOR OF THE OFF-
ICE OF MANAGEMENT AND BUDGET WITH RESPECT TO FUNCTIONS TRANSFERRED.

“(a) DETERMINATIONS.—If necessary, the Director of
the Office of Management and Budget shall make any
determination of the functions that are transferred
under this subtitle.

“(b) INCIDENTAL TRANSFERS.—The Director of the
Office of Management and Budget, at such time or times
as the Director shall provide, may make such deter-
minations as may be necessary with regard to the func-
tions transferred by this subtitle, and to make such ad-
ditional incidental dispositions of personnel, assets, li-
abilities, grants, contracts, property, records, and un-
expended balances of appropriations, authorizations,
allocations, and other funds held, used, arising from,
available to, or to be made available in connection with
such functions, as may be necessary to carry out the
provisions of this subtitle. The Director shall provide
for the termination of the affairs of all entities termi-
nated by this subtitle and for such further measures and
dispositions as may be necessary to effectuate the pur-
pose of this subtitle.

“SEC. 4747. CERTAIN VESTING OF FUNCTIONS CON-
SIDERED TRANSFERS.

“For purposes of this subtitle, the vesting of a func-
tion in a department or office pursuant to reestablish-
ment of an office shall be considered to be the transfer
of the function.

“SEC. 4748. AVAILABILITY OF EXISTING FUNDS.

“Existing appropriations and funds available for the
performance of functions, programs, and activities ter-
minated pursuant to this subtitle shall remain avail-
able, for the duration of their period of availability, for
necessary expenses in connection with the termination and resolution of such functions, programs, and activi-
ties, subject to the submission of a plan to the Commit-
tees on Appropriations of the House and Senate in ac-
cordance with the procedures set forth in section 605 of
the Departments of Commerce, Justice, and State, the
Judiciary, and Related Agencies Appropriations Act,
1999, as contained in Public Law 105-277 [112 Stat.
2681-111].

“SEC. 4749. DEFINITIONS.

“For purposes of this subtitle—

“(1) the term ‘function’ includes any duty, obliga-
tion, power, authority, responsibility, right, privi-
lege, activity, or program; and

“(2) the term ‘office’ includes any office, adminis-
tration, agency, bureau, institute, council, unit, or-
ganizational entity, or component thereof.’’

SOUTHEAST REGIONAL OFFICE
Pub. L. 117-328, div. W §103(b), Dec. 29, 2022, 136 Stat. 5519, provided that:

“(1) IN GENERAL.—Not later than 3 years after the
date of enactment of this Act [Dec. 29, 2022], the Direc-
tor shall establish a satellite office of the Office in the
southeast region of the United States.

“(2) CONSIDERATIONS.—When selecting a site for the
office required under paragraph (1), the Director shall
consider the following:

“(A) The number of patent-intensive industries lo-
cated near the site.

“(B) How many research-intensive institutions, in-
cluding institutions of higher education, are located
near the site.

“(C) The State and local government legal and busi-
ness frameworks that support intellectual property-
-intensive industries located near the site.

[For definitions of terms used in section 103(b) of div.
W of Pub. L. 117-328, set out above, see section 102 of

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TITLE 35—PATENTS

§ 1
COMMUNITY OUTREACH OFFICES


“(a) ESTABLISHMENT.—Subject to paragraphs (2) and (3), not later than 5 years after the date of enactment of this Act [Dec. 29, 2022], the Director shall establish not fewer than 4 community outreach offices throughout the United States.

“(b) PURPOSES.—The purposes of the community outreach offices established under subsection (a) are to—

“(1) better connect patent filers and innovators with the Office, including by increasing outreach activities, including to individual inventors, small businesses, veterans, low-income populations, students, rural populations, and any geographic group of innovators that the Director may determine to be underrepresented in patent filings;

“(2) enhance patent examiner and administrative patent judge retention, including patent examiners and administrative patent judges from economically, geographically, and demographically diverse backgrounds;

“(3) improve recruitment of patent examiners;

“(4) decrease the number of patent applications waiting for examination; and

“(5) improve the quality of patent examination.

“(c) REQUIRED CONSIDERATIONS.—

“(1) IN GENERAL.—In selecting the location of each satellite office to be established under subsection (a), the Director—

“(A) shall ensure geographic diversity among the offices, including by ensuring that such offices are established in different States and regions throughout the Nation;

“(B) may rely upon any previous evaluations by the Office of potential locales for satellite offices, including any evaluations prepared as part of the Office’s Nationwide Workforce Program that resulted in the 2010 selection of Detroit, Michigan, as the first satellite office of the Office;

“(C) shall evaluate and consider the extent to which the purposes of satellite offices listed under subsection (b) will be achieved;

“(D) shall consider the availability of scientific and technically knowledgeable personnel in the region from which to draw new patent examiners at minimal recruitment cost;

“(E) shall consider the economic impact to the region; and

“(F) with respect to each office established after January 1, 2023, shall consider the proximity of the office to anchor institutions (such as hospitals primarily serving veterans and institutions of higher education), individual inventors, small businesses, veterans, low-income populations, students, rural populations, and any geographic group of innovators that the Director may determine to be underrepresented in patent filings.

“(2) OPEN SELECTION PROCESS.—Nothing in paragraph (1) shall constrain the Office to only consider its evaluations in selecting the Detroit, Michigan, satellite office.

“(d) REPORT TO CONGRESS.—Not later than the end of the third fiscal year that begins after the date of the enactment of this Act [Sept. 16, 2011], the Director shall submit a report to Congress that the Director may determine to be underrepresented in patent filings, about all public and private resources available to potential patent applicants, including the patent pre hose programs.

[For definitions of terms used in section 104 of div. W of Pub. L. 117–328, set out above, see section 102 of div. W of Pub. L. 117–328, set out as a Definitions note below.]

SATELLITE OFFICES


“(a) ESTABLISHMENT.—Subject to available resources, the Director [Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office] shall, by not later than the date that is 3 years after the date of the enactment of this Act [Sept. 16, 2011], establish 3 or more satellite offices in the United States to carry out the responsibilities of the [United States Patent and Trademark] Office.

“(b) PURPOSES.—The purposes of the satellite offices established under subsection (a) are to—

“(1) better connect patent filers and innovators with the Office, including by increasing outreach activities, including to individual inventors, small businesses, veterans, low-income populations, students, rural populations, and any geographic group of innovators that the Director may determine to be underrepresented in patent filings;

“(2) enhance patent examiner and administrative patent judge retention, including patent examiners and administrative patent judges from economically, geographically, and demographically diverse backgrounds;

“(3) improve recruitment of patent examiners;

“(4) decrease the number of patent applications waiting for examination; and

“(5) improve the quality of patent examination.

“(c) REQUIRED CONSIDERATIONS.—

“(1) IN GENERAL.—In selecting the location of each satellite office to be established under subsection (a), the Director—

“(A) shall ensure geographic diversity among the offices, including by ensuring that such offices are established in different States and regions throughout the Nation;

“(B) may rely upon any previous evaluations by the Office of potential locales for satellite offices, including any evaluations prepared as part of the Office’s Nationwide Workforce Program that resulted in the 2010 selection of Detroit, Michigan, as the first satellite office of the Office;

“(C) shall evaluate and consider the extent to which the purposes of satellite offices listed under subsection (b) will be achieved;

“(D) shall consider the availability of scientific and technically knowledgeable personnel in the region from which to draw new patent examiners at minimal recruitment cost;

“(E) shall consider the economic impact to the region; and

“(F) with respect to each office established after January 1, 2023, shall consider the proximity of the office to anchor institutions (such as hospitals primarily serving veterans and institutions of higher education), individual inventors, small businesses, veterans, low-income populations, students, rural populations, and any geographic group of innovators that the Director may determine to be underrepresented in patent filings.

“(2) OPEN SELECTION PROCESS.—Nothing in paragraph (1) shall constrain the Office to only consider its evaluations in selecting the Detroit, Michigan, satellite office.

“(d) REPORT TO CONGRESS.—Not later than the end of the third fiscal year that begins after the date of the enactment of this Act [Sept. 16, 2011], the Director shall submit a report to Congress that the Director may determine to be underrepresented in patent filings, about all public and private resources available to potential patent applicants, including the patent pre hose programs.

[For definitions of terms used in section 104 of div. W of Pub. L. 117–328, set out above, see section 102 of div. W of Pub. L. 117–328, set out as a Definitions note below.]
States to the satellite office of the United States Patent and Trademark Office to be located in Detroit, Michigan, referred to in subsection (a) shall be deemed to be a reference to the ‘Elijah J. McCoy United States Patent and Trademark Office’:

FEDERAL AGENCY STATUS FOR PATENT AND TRADEMARK OFFICE

Pub. L. 101–508, title X, §10102, Nov. 5, 1990, 104 Stat. 1388–392, provided that: ‘‘For the purposes of Federal law, the Patent and Trademark Office shall be considered a Federal agency. In particular, the Patent and Trademark Office shall be subject to all Federal laws pertaining to the procurement of goods and services that are ordinarily in use of a Federal agency using appropriated funds, including the Federal Property and Administrative Services Act of 1949 (now chapters 1 to 11 of Title 40, Public Buildings, Property, and Works, and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of Title 41, Public Contracts) and the Office of Federal Procurement Policy Act [now division B (except sections 1123, 2303, 2304, and 2313) of subtitle I of Title 41].’’

DEFINITIONS

Pub. L. 117–328, div. W, §102, Dec. 29, 2022, 136 Stat. 5518, provided that: ‘‘In this division [see Short Title of 2022 Amendment note above]:

(1) DIRECTOR.—The term ‘Director’ means the Under Secretary of Commerce for Intellectual Property and Director of the Office.

(2) OFFICE.—The term ‘Office’ means the United States Patent and Trademark Office.

(3) PATENT PRO BONO PROGRAMS.—The term ‘patent pro bono programs’ means the programs established pursuant to section 32 of the Leahy-Smith America Invents Act (35 U.S.C. 2 note).

(4) SOUTHEAST REGION OF THE UNITED STATES.—The term ‘southeast region of the United States’ means the area of the United States that is comprised of the States of Virginia, North Carolina, South Carolina, Georgia, Florida, Tennessee, Alabama, Mississippi, Louisiana, and Arkansas.’’

Pub. L. 112–29, §2, Sept. 16, 2011, 125 Stat. 284, provided that: ‘‘In this Act [see Short Title of 2011 Amendment note above]:

(1) DIRECTOR.—The term ‘Director’ means the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

(2) OFFICE.—The term ‘Office’ means the United States Patent and Trademark Office.

(3) PATENT PUBLIC ADVISORY COMMITTEE.—The term ‘Patent Public Advisory Committee’ means the Patent Public Advisory Committee established under section 5(a) of title 35, United States Code.

(4) TRADEMARK ACT OF 1946.—The term ‘TradeMARK Act of 1946’ means the Act entitled ‘An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes’, approved July 5, 1946 (13 U.S.C. 1051 et seq.) (commonly referred to as the ‘Trademark Act of 1946’ or the ‘Lanham Act’).

(5) TRADEMARK PUBLIC ADVISORY COMMITTEE.—The term ‘Trademark Public Advisory Committee’ means the Trademark Public Advisory Committee established under section 5(a) of title 35, United States Code.’’

§2. Powers and duties

(a) IN GENERAL.—The United States Patent and Trademark Office, subject to the policy direction of the Secretary of Commerce—

(1) shall be responsible for the granting and issuing of patents and the registration of trademarks; and

(2) shall be responsible for disseminating to the public information with respect to patents and trademarks.

(b) SPECIFIC POWERS.—The Office—

(1) shall adopt and use a seal of the Office, which shall be judicially noticed and with which letters patent, certificates of trademark registrations, and papers issued by the Office shall be authenticated;

(2) may establish regulations, not inconsistent with law, which—

(A) shall govern the conduct of proceedings in the Office;

(B) shall be made in accordance with section 553 of title 5;

(C) shall facilitate and expedite the processing of patent applications, particularly those which can be filed, stored, processed, searched, and retrieved electronically, subject to the provisions of section 122 relating to the confidential status of applications;

(D) may govern the recognition and conduct of agents, attorneys, or other persons representing applicants or other parties before the Office, and may require them, before being recognized as representatives of applicants or other persons, to show that they are of good moral character and reputation and are possessed of the necessary qualifications to render to applicants or other persons valuable service, advice, and assistance in the presentation or prosecution of their applications or other business before the Office;

(E) shall recognize the public interest in continuing to safeguard broad access to the United States patent system through the reduced fee structure for small entities under section 41(b)(1);

(F) provide for the development of a performance-based process that includes quantitative and qualitative measures and standards for evaluating cost-effectiveness and is consistent with the principles of impartiality and competitiveness; and

(G) may, subject to any conditions prescribed by the Director and at the request of the patent applicant, provide for prioritization of examination of applications for products, processes, or technologies that are important to the national economy or national competitiveness without recovering the aggregate extra cost of providing such prioritization, notwithstanding section 41 or any other provision of law;

(3) may acquire, construct, purchase, lease, hold, manage, operate, improve, alter, and renovate any real, personal, or mixed property, or any interest therein, as it considers necessary to carry out its functions;

(4)(A) may make such purchases, contracts for the construction, maintenance, or management and operation of facilities, and contracts for supplies or services, without regard to the provisions of section 41 of title 40, division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41, and the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.); and

(B) may enter into and perform such purchases and contracts for printing services, including the process of composition, platemaking, presswork, silk screen processes, binding, microform, and the products of such processes, as it considers necessary to carry