

115TH CONGRESS
2D SESSION

H. R. 5862

To amend chapter 11 of title 35, United States Code, to require the voluntary collection of demographic information for patent applications, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2018

Ms. VELÁZQUEZ introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To amend chapter 11 of title 35, United States Code, to require the voluntary collection of demographic information for patent applications, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Inventor Diversity and
5 Equality Act of 2018”.

1 **SEC. 2. COLLECTION OF DEMOGRAPHIC INFORMATION FOR**
2 **PATENT APPLICATIONS.**

3 (a) AMENDMENT.—Chapter 11 of title 35, United
4 States Code, is amended by adding at the end the fol-
5 lowing new section:

6 **“§ 124. Collection of demographic information for**
7 **patent applications**

8 “(a) VOLUNTARY COLLECTION.—The Director shall
9 provide for the collection of demographic information (in-
10 cluding gender, race, ethnicity, national origin, age, and
11 income level) related to an inventor with an application
12 for patent, that may be submitted voluntarily by that in-
13 ventor.

14 “(b) ACCESS TO INFORMATION.—Any information
15 submitted under subsection (a) shall be kept confidential
16 and separate from the application for patent. The Director
17 shall establish appropriate procedures to ensure the con-
18 fidentiality of any information submitted under subsection
19 (a) and to ensure that demographic information is not in-
20 cluded when the application for patent is reviewed.

21 “(c) PUBLICATION OF DEMOGRAPHIC INFORMA-
22 TION.—

23 “(1) REPORT REQUIRED.—Not later than Jan-
24 uary 31 of each year, the Director shall publish a re-
25 port that includes the following:

1 “(A) The total number of patent applica-
2 tions filed during the previous year disaggre-
3 gated by demographic information and by class
4 number and title.

5 “(B) The total number of patents issued
6 during the previous year disaggregated by de-
7 mographic information and by class number
8 and title.

9 “(2) PRIVACY.—Any personally identifying in-
10 formation may not be included in the report de-
11 scribed in paragraph (1). If any information that is
12 required to be included in the report would be per-
13 sonally identifying information, such information
14 shall be excluded from the report.

15 “(3) FORMAT.—The report described in para-
16 graph (1) shall be made available in a format that
17 allows the demographic information to be cross-tab-
18 ulated to review subgroups.”.

19 (b) TECHNICAL AND CONFORMING AMENDMENT.—
20 The table of sections at the beginning of chapter 11 of
21 title 35, United States Code, is amended by adding at the
22 end the following new item:

 “124. Collection of demographic information for patent applications.”.

