

Public Law 115–259
115th Congress

An Act

Oct. 9, 2018
[S. 791]

To amend the Small Business Act to expand intellectual property education and training for small businesses, and for other purposes.

Small Business
Innovation
Protection Act
of 2017.
15 USC 631 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Small Business Innovation Protection Act of 2017”.

15 USC 648c
note.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term “Administrator” means the Administrator of the SBA;

(2) the term “Director” means the Under Secretary of Commerce for Intellectual Property and Director of the USPTO;

(3) the term “SBA” means the Small Business Administration;

(4) the term “small business concern” has the meaning given the term in section 3(a) of the Small Business Act (15 U.S.C. 632(a));

(5) the term “small business development center” means a center described in section 21 of the Small Business Act (15 U.S.C. 648); and

(6) the term “USPTO” means the United States Patent and Trademark Office.

15 USC 648c
note.

SEC. 3. FINDINGS.

Congress finds that—

(1) the USPTO and the SBA are positioned to—

(A) build upon several successful intellectual property and training programs aimed at small business concerns; and

(B) increase the availability of and the participation in the programs described in subparagraph (A) across the United States; and

(2) any education and training program administered by the USPTO and the SBA should be scalable so that the program is able to reach more small business concerns.

SEC. 4. SBA AND USPTO PARTNERSHIPS.

Effective date.
Deadline.
Consultation.
15 USC 648c.

(a) IN GENERAL.—Beginning not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Director, shall develop partnership agreements that—

(1) provide for the—

- (A) development of high-quality training, including in-person or modular training sessions, for small business concerns relating to domestic and international protection of intellectual property;
 - (B) leveraging of training materials already developed for the education of inventors and small business concerns; and
 - (C) participation of a nongovernmental organization; and
- (2) provide training—
- (A) through electronic resources, including Internet-based webinars; and
 - (B) at physical locations, including—
 - (i) a small business development center; and
 - (ii) the headquarters or a regional office of the USPTO.

SEC. 5. SMALL BUSINESS DEVELOPMENT CENTERS.

Section 21(c)(3) of the Small Business Act (15 U.S.C. 648(c)(3)) is amended—

- (1) in subparagraph (S), by striking “and” at the end;
- (2) in subparagraph (T), by striking the period at the end and inserting “; and”; and
- (3) by adding at the end the following:
 - “(U) in conjunction with the United States Patent and Trademark Office, providing training—
 - “(i) to small business concerns relating to—
 - “(I) domestic and international intellectual property protections; and
 - “(II) how the protections described in subclause (I) should be considered in the business plans and growth strategies of the small business concerns; and
 - “(ii) that may be delivered—
 - “(I) in person; or
 - “(II) through a website.”.

Approved October 9, 2018.

LEGISLATIVE HISTORY—S. 791:

SENATE REPORTS: No. 115–435 (Comm. on Small Business and Entrepreneurship).

CONGRESSIONAL RECORD, Vol. 164 (2018):

July 18, considered and passed Senate.

Sept. 25, considered and passed House.