

Patent and trade mark appeals vested in new court.

Appeals in patent and trade mark cases.

R. S. secs. 4911, 4912, 4915, p. 1336, amended.

U. S. Code, p. 1170. Vol. 33, p. 727, amended.

U. S. Code, p. 364. Court of Customs and Patent Appeals substituted for District Court of Appeals.

Cases pending in Court of Appeals.

Continuance if hearing has been held, etc.

Transfer to Court of Customs and Patent Appeals, if no hearings, etc.

Equity jurisdiction of District Court of Appeals not affected.

Opinions filed as part of record, etc.

Effective in 30 days.

March 2, 1929.

[H. R. 7930.]

[Public, No. 915.]

Naval, and Marine Corps Reserves. Naval Fleet Reserve. Vol. 43, p. 1087, amended. U. S. Code, p. 1136.

New matter.

SEC. 2. (a) The jurisdiction now vested in the Court of Appeals of the District of Columbia in respect of appeals from the Patent Office in patent and trade-mark cases is vested in the United States Court of Customs and Patent Appeals.

(b) Sections 4911 (Forty-fourth Statutes, page 1336), 4912 (section 60, title 35, United States Code), and 4915 (section 63, title 35, United States Code) of the Revised Statutes, as amended, and section 9 of the Act entitled "An Act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same," approved February 20, 1905 (United States Code, title 15, section 89), are amended by striking out the words "Court of Appeals of the District of Columbia" wherever they occur therein and inserting in lieu thereof the words "United States Court of Customs and Patent Appeals" in each instance.

(c) Where before the effective date of this Act an appeal from the decision of the Patent Office has been filed with the Court of Appeals of the District of Columbia—

(1) If any hearing before said court has been held in the case, or if the case has been submitted for decision, then further proceedings in respect of the case shall be had in the same manner and with the same effect as if this Act had not been enacted.

(2) If no hearing before said court has been held in the case, and the case has not been submitted for decision, then the appeal, together with the original papers, printed records, and record entries duly certified, shall, by appropriate orders duly entered of record, be transferred to the United States Court of Customs and Patent Appeals, and further proceedings in respect of the case shall be had in the same manner and with the same effect as if the appeal had been filed in said court.

(d) Nothing contained in this Act shall be construed as affecting in any way the jurisdiction of the Court of Appeals of the District of Columbia in equity cases.

SEC. 3. The opinion of the Court of Customs and Patent Appeals in every case on appeal from the decision of the Patent Office shall be rendered in writing, and shall be filed in such case as part of the record thereof, and a certified copy of said opinion shall be sent to the Commissioner of Patents and shall be entered of record in the Patent Office.

SEC. 4. This Act shall take effect thirty days after its enactment.

Approved, March 2, 1929.

CHAP. 489.—An Act To amend section 24 of the Act approved February 28, 1925, entitled "An act to provide for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 24 of the Act approved February 28, 1925 (Forty-third Statutes at Large, page 1087, United States Code, title 34, section 785), entitled "An Act to provide for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve," be, and the same is hereby, amended by changing the period at the end of said section to a colon and by adding thereto the following proviso: "Provided further, That any pay which may be due any member of the Fleet Naval Reserve, transferred thereto prior to July 1, 1925, shall be forfeited when so ordered by the Secretary of the Navy upon the failure, under such conditions as may be prescribed by the

Secretary of the Navy, of such member to report for inspection: *Provided further*, That transferred members of the Fleet Naval Reserve found not physically qualified on reporting for inspection in accordance with this section, shall be transferred to the retired list of the regular Navy, with the pay they are then receiving, and upon the completion of thirty years' service, including naval service, time in the Fleet Naval Reserve, and time on the retired list of the Navy, they shall receive the allowances to which enlisted men of the regular Navy are entitled on retirement after thirty years' service," so that said section will read as follows:

"All enlisted men who heretofore have been transferred from the regular Navy to the Fleet Naval Reserve established by the Act of August 29, 1916, and who by section 1 of this Act are transferred to the Fleet Naval Reserve herein created, shall receive the rate of pay they were legally entitled to receive in the Naval Reserve Force: *Provided*, That such enlisted men so transferred to the Fleet Naval Reserve herein created shall, upon completing thirty years' service, including naval service and time in the Fleet Naval Reserve of the Naval Reserve Force and in the Fleet Naval Reserve here in created, be transferred to the retired list of the regular Navy with the pay they were then legally entitled to receive, plus the allowances to which enlisted men of the regular Navy are entitled on retirement after thirty years' naval service: *Provided further*, That any pay which may be due any member of the Fleet Naval Reserve, transferred thereto prior to July 1, 1925, shall be forfeited when so ordered by the Secretary of the Navy upon the failure, under such conditions as may be prescribed by the Secretary of the Navy, of such member to report for inspection: *Provided further*, That transferred members of the Fleet Naval Reserve found not physically qualified on reporting for inspection in accordance with this section, shall be transferred to the retired list of the regular Navy, with the pay they are then receiving, and upon the completion of thirty years' service, including naval service, time in the Fleet Naval Reserve, and time on the retired list of the Navy, they shall receive the allowances to which enlisted men of the regular Navy are entitled on retirement after thirty years' service."

Approved, March 2, 1929.

**CHAP. 490.**—An Act For the relief of Marie Rose Jean Baptiste, Marius Francois, and Regina Lexima, all natives of Haiti.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,070 to pay for the purposes herein provided the Republic of Haiti as an act of grace and without reference to the question of liability therefor; the sum of \$1,000 thereof to pay Marie Rose Jean Baptiste, the mother of Andre Nelson; the sum of \$50 thereof to pay Marius Francois; and the sum of \$20 thereof to pay Regina Lexima; the above sums to be in full compensation for the killing of Andre Nelson and wounding of Marius Francois and Regina Lexima by shooting by an enlisted man of the United States Marine Corps on July 19, 1927, at Port au Prince, Republic of Haiti.

Approved, March 2, 1929.

Section as amended.

Pay of enlisted men transferred from former Fleet Reserve.  
Vol. 39, p. 589.

*Provisos.*  
Pay, etc., on transfer to Navy retired list after 30 years' service.

Pay due members transferred prior to July 1, 1925, forfeited on failure to report for inspection.

If not physically qualified on reporting, to be transferred to Navy retired list, with pay then receiving.

On completing 30 years' service.

March 2, 1929.  
[H. R. 12189.]  
[Public, No. 916.]

Haiti.  
Payment to, as compensation for death of Andre Nelson, and wounding of Marius Francois, and Regina Lexima.