

Commissioner of Patents shall issue a certificate that the term of said patent is extended for the additional period provided therein and shall cause notice of such extension to be published in the Official Gazette and marked upon copies of the patent for sale by the Patent Office, in such manner as the Commissioner may determine.

SEC. 4. (a) Upon the issuance of the certificate of extension, said patent shall have the same force and effect in law as though it had been originally granted for seventeen years plus the term of such extension, except as otherwise provided herein.

U. S. rights.

(b) No patent extended under the provisions of this Act shall in any way serve as the basis for any claim by reason of manufacture, use, or sale by or for the United States during the period of extension, and the rights of the United States shall remain in all respects as if such patent had not been extended.

Conflicting rights in patents, etc.

(c) No extension granted under the provisions of this Act shall impair the right of anyone who before the passage of this Act was bona fide in possession of any rights in patents or applications for patents conflicting with the rights in any patent extended under the Act, nor shall any extension granted under this Act impair the right of anyone who was lawfully manufacturing before the passage of this Act the invention covered by the extended patent, but any such person shall have the right to make, use, and vend the invention covered by such conflicting patent or application for patent, or to continue or resume such manufacturing, during the extension of the patent, subject to the payment of a reasonable royalty for any period subsequent to the date on which the extension of the patent was granted: *Provided, however,* That any licensee under a patent which is extended shall have the option of continuing the license for the period of the extension or any part thereof on the same terms and conditions as contained in the existing license, or of discontinuing said license on the expiration of the original term of the patent: *Provided further,* That in the event an extension is not issued until after the date of expiration of the original term of the patent, any article or device made after said date and before the issuance of the extension, which would have infringed the patent had the patent been in force, may be sold or used after the issuance of the extension without any liability for infringement of the patent during the extended term by reason of such making, using, or vending.

Action for infringement.

(d) In any action, for infringement after the expiration of seventeen years from the grant of the patent and during the period of such extension, the defendant may plead and prove that any material statement of the application for extension required by this Act is not true in fact; and if any one or more of such statements shall be found untrue in fact, judgment shall be rendered for the defendant, with costs.

Approved June 30, 1950.

[CHAPTER 445]

AN ACT

To extend the Selective Service Act of 1948, as amended, for a period of one year, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 17 of the Selective Service Act of 1948 (62 Stat. 604), as amended, is hereby amended by striking out "July 9, 1950" and substituting therefor "July 9, 1951".

SEC. 2. The Selective Service Act of 1948 is hereby amended by inserting after section 20 the following new section:

June 30, 1950
[H. R. 6826]
[Public Law 599]

Selective Service Extension Act of 1950.
Ante, p. 254.

62 Stat. 627.
50 U. S. C., Sup. III,
app. § 470.
Post, p. 1074.

“AUTHORITY TO ORDER RESERVE COMPONENTS TO ACTIVE FEDERAL SERVICE

“SEC. 21. Until July 9, 1951, and subject to the limitations imposed by section 2 of the Selective Service Act of 1948, as amended, the President shall be authorized to order into the active military or naval service of the United States for a period of not to exceed twenty-one consecutive months, with or without their consent, any or all members and units of any or all Reserve components of the Armed Forces of the United States and retired personnel of the Regular Armed Forces.”

62 Stat. 605.
50 U. S. C., Sup. III,
app. § 452.

SEC. 3. So much of section 10 (b) (4) of the Selective Service Act of 1948 (62 Stat. 604) as precedes the second proviso is hereby amended to read as follows: “(4) to appoint, and to fix, in accordance with the Classification Act of 1949, the compensation of such officers, agents, and employees as he may deem necessary to carry out the provisions of this title: *Provided*, That the compensation of employees of local boards and appeal boards may be fixed without regard to the Classification Act of 1949.”

62 Stat. 620.
50 U. S. C., Sup. III,
app. § 460 (b) (4).
Post, p. 1074.
63 Stat. 954.
5 U. S. C., Sup. III,
§§ 1071-1153.
Ante, pp. 232, 262;
post, p. 1100.

SEC. 4. This Act may be cited as the “Selective Service Extension Act of 1950”.

Approved June 30, 1950.

[CHAPTER 446]

AN ACT

To provide for the organization of a constitutional government by the people of Puerto Rico.

July 3, 1950
[S. 3336]
[Public Law 600]

Whereas the Congress of the United States by a series of enactments has progressively recognized the right of self-government of the people of Puerto Rico; and

Whereas under the terms of these congressional enactments an increasingly large measure of self-government has been achieved: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, fully recognizing the principle of government by consent, this Act is now adopted in the nature of a compact so that the people of Puerto Rico may organize a government pursuant to a constitution of their own adoption.

Puerto Rico.
Organization of constitutional government.

SEC. 2. This Act shall be submitted to the qualified voters of Puerto Rico for acceptance or rejection through an island-wide referendum to be held in accordance with the laws of Puerto Rico. Upon the approval of this Act, by a majority of the voters participating in such referendum, the Legislature of Puerto Rico is authorized to call a constitutional convention to draft a constitution for the said island of Puerto Rico. The said constitution shall provide a republican form of government and shall include a bill of rights.

Referendum.

Constitutional convention.

SEC. 3. Upon adoption of the constitution by the people of Puerto Rico, the President of the United States is authorized to transmit such constitution to the Congress of the United States if he finds that such constitution conforms with the applicable provisions of this Act and of the Constitution of the United States.

Transmittal of constitution to Congress.

Upon approval by the Congress the constitution shall become effective in accordance with its terms.

SEC. 4. Except as provided in section 5 of this Act, the Act entitled “An Act to provide a civil government for Porto Rico, and for other purposes”, approved March 2, 1917, as amended, is hereby continued in force and effect and may hereafter be cited as the “Puerto Rican Federal Relations Act”.

Puerto Rican Federal Relations Act.

39 Stat. 951.
48 U. S. C. § 731 note.
Post, p. 320.