Articles + Publications | April 29, 2024

Locke Lord QuickStudy: Reintroduction of the Restoring America's Leadership in Innovation Act

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On April 26, 2024, the U.S. House of Representatives reintroduced the Restoring America's Leadership in Innovation Act (the "Act"), which was previously introduced in November of 2021. The Act seeks to uphold the goals of the United States Patent System to, "promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries,'' as provided for in the Constitution of the United States. The reintroduced bill includes the same language proposed in 2021.

As in the 2021 bill, among other proposed changes to the Leahy-Smith America Invents Act, the Act proposes to repeal the first-inventor-to-file system and restore the first inventor to conceive of the invention and diligently reduce the invention to practice system. The Act also proposes to repeal provisions of the America Invents Act that create the *inter partes* review and post-grant review proceedings before the Patent Trial and Appeal Board, as well as abolish the PTAB altogether in favor of the former Board of Patent Appeals and Interferences. In the interest of keeping inventions secret, the Act seeks to end the practice of automatic publication of patent applications and further prohibits publication until a patent issues.

The text of the Restoring America's Leadership In Innovation Act, which sets forth all of the proposed changes to the Leahy-Smith America Invents Act, can be found here.

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