



**SENATE AMENDMENT 1,
TO SENATE BILL 498**

March 4, 2014 – Offered by Senator FARROW.

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 3, line 10: after “subd. 4.” insert “, if any.”.
- 3 **2.** Page 3, line 17: delete lines 17 to 19 and substitute:
- 4 “(c) 1. If a patent notification lacks any of the information required under par.
- 5 (a), the target may notify the person who made the patent notification that the patent
- 6 notification is incomplete.
- 7 2. Within 30 days after the date on which a target notifies a person under subd.
- 8 1., the person shall provide the target with the information required under par. (a)
- 9 that is necessary to complete the patent notification.”.
- 10 **3.** Page 3, line 21: delete “this section.” and substitute “sub. (2) (b) or (c) 2.”.
- 11 **4.** Page 3, line 23: delete “this section.” and substitute “sub. (2) (b) or to compel
- 12 a person who has violated sub. (2) (c) 2. with respect to a target to provide the target
- 13 with the information specified in sub. (2) (c) 2.”.

- 1 **5.** Page 4, line 2: after “violation” insert “of sub. (2) (b) or (c) 2”.
- 2 **6.** Page 4, line 4: delete “this” and substitute “sub. (2) (b) or (c) 2.”.
- 3 **7.** Page 4, line 5: delete that line.
- 4 **8.** Page 4, line 6: delete “this section” and substitute “sub. (2) (b) or (c) 2.”.
- 5 **9.** Page 4, line 8: delete “this section.” and substitute “sub. (2) (b) or compelling
- 6 a person who has violated sub. (2) (c) 2. with respect to a target to provide the target
- 7 with the information specified in sub. (2) (c) 2.”.
- 8 **10.** Page 4, line 15: after “notification” insert “that violates sub. (2) (b) or is
- 9 the subject of a violation of sub. (2) (c) 2.”.
- 10 **11.** Page 4, line 15: after that line insert:
- 11 “(4) EXEMPTIONS. Subsection (2) does not apply to any of the following:
- 12 (a) A patent notification of an institution of higher education or of a technology
- 13 transfer organization that is owned, controlled, or operated by, or associated with,
- 14 an institution of higher education.
- 15 (b) A patent notification attempting to enforce or assert a right in connection
- 16 with a patent or pending patent on a device, or a component of that device, that is
- 17 subject to approval by the federal food and drug administration or the federal
- 18 department of agriculture.
- 19 (c) A patent notification attempting to enforce or assert a right arising under
- 20 35 USC 271 (e) (2) or 42 USC 262.”.

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(END)