

FIRST REGULAR SESSION

SENATE BILL NO. 43

78TH GENERAL ASSEMBLY

INTRODUCED BY SEN. BRAY, 11, SEN. EAMSAART, 10

Filed on Tuesday, June 20, 2017

KADEN ZIMMERMAN, Secretary

AN ACT

To Establish Business Patents and Trademark Registration for Business

Be it enacted by the General Assembly of Missouri Boys State, as follows:

Section 1. This bill shall be referred to as the Bray Patent Act.

Section 2. There will be no more than one patent office present in the state at one time. The patent and trademark office shall remain in its original location, where records, drawings, specifications, and other papers and things pertaining to patents and trademark registrations shall be kept and preserved, unless otherwise required by law. The patent and trademark office shall receive a seal for which patents, certificates of trademark, and papers issued from the office shall be authenticated. On filing each application for an original patent, \$400. On filing for an original trademark, \$200.

Section 3. When used in this title, the term "invention" means invention or discovery of a product. Whoever invents or discovers any new and useful process, machine, manufacture, composition of matter, or any new or useful improvement thereof, may obtain a patent therefor.

Section 4. A person may file for a patent unless: (a) the invention was known or used by others in this state, or patented or described in a printed publication, (b) he has abandoned the invention, and (c) he himself did not invent the subject matter to be patented.

Section 5. The inventor must submit a drawing for the product where necessary for the understanding of the subject matter to be patented. Drawings submitted after the filing date may not be used.

Section 6. Unless otherwise stated in this title, whoever without authority makes, uses, or sells any patented invention or part of that invention, infringes the patent. A patentee shall have remedy by civil action for infringement of his patent. Upon finding for the claimant the court shall award the claimant adequate damages to compensate for the infringement. 10% of the total damages paid must be paid to the patent and trademark office.