

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5108  
OFFERED BY MR. JEFFRIES OF NEW YORK**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. USPTO LAW SCHOOL CLINIC CERTIFICATION  
2 PROGRAM.**

3 (a) ESTABLISHMENT.—The Law School Clinic Cer-  
4 tification Program of the United States Patent and Trade-  
5 mark Office, as implemented by the Office, is established  
6 as a program entitled the “Law School Clinic Certification  
7 Program”. The Program shall allow students enrolled in  
8 a participating law school’s clinic to practice patent and  
9 trademark law before the Office by drafting, filing, and  
10 prosecuting patent or trademark applications, or both, on  
11 a pro-bono basis for clients that qualify for assistance  
12 from the law school’s clinic. The Director shall establish  
13 regulations and procedures for application to and partici-  
14 pation in the Program. All law schools accredited by the  
15 American Bar Association are eligible for participation in  
16 the Program, and shall be examined for acceptance using  
17 identical criteria established by the Director. The Program

1 shall be in effect for the 10-year period beginning on the  
2 date of the enactment of this Act.

3 (b) REPORT ON THE PROGRAM.—The Director shall,  
4 not later than the last day of the 2-year period beginning  
5 on the date of the enactment of this Act, submit to the  
6 Committees on the Judiciary of the House of Representa-  
7 tives and the Senate a report on the Program, describing  
8 the number of law schools and law students participating  
9 in the Program, the work done through the Program, the  
10 benefits of the Program, and any recommendations of the  
11 Director for modifications to the Program.

12 (c) DEFINITIONS.—In this section:

13 (1) OFFICE.—The term “Office” means the  
14 United States Patent and Trademark Office.

15 (2) PROGRAM.—The term “Program” means  
16 the Law School Clinic Certification Program estab-  
17 lished in subsection (a).

18 (3) DIRECTOR.—The term “Director” means  
19 the Under Secretary of Commerce for Intellectual  
20 Property and Director of the United States Patent  
21 and Trademark Office.

