To amend title 35, United States Code, to provide recourse under the patent law for persons who suffer competitive injury as a result of false markings.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FALSE MARKING.

(a) In general.—Subsection (b) of section 292 of title 35, United States Code, is amended to read as follows:

“(b) A person who has suffered a competitive injury as a result of a violation of this section may file a civil
action in a district court of the United States for recovery of damages adequate to compensate for the injury.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to all cases, without exception, pending on or after the date of the enactment of this Act.