Subsec. (a)(4)(B). Pub. L. 106–113, § 1000(a)(9) [title IV, § 4732(b)(14)(B)], substituted ''Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office'' for ''Commissioner of Patents and Trademarks''.

Subsec. (a)(4)(C). Pub. L. 106–113, § 1000(a)(9) [title IV, § 4402(b)(2)], substituted ''145, 146, or 154(b)'' for ''145 or 146''.

1992—Subsec. (a)(3). Pub. L. 102–572, § 902(b)(1), substituted ''United States Court of Federal Claims'' for ''United States Claims Court''.

Subsec. (a)(11) to (14). Pub. L. 102–572, § 102(c), added pars. (11) to (14).

1988—Subsec. (a)(1). Pub. L. 100–702 inserted '', exclusive rights in mask works,'' after ''copyrights''.

Subsec. (a)(7). Pub. L. 100–418 substituted ''U.S. note 6 to subchapter X of chapter 98 of the Harmonized Tariff Schedule of the United States'' for ''headnote 6 to schedule 8, part 4, of the Tariff Schedules of the United States''.

1984—Subsec. (a)(4)(A). Pub. L. 98–622 substituted ''Patent Appeals and'' for ''Appeals or the Board of Patent''.

EFFECTIVE DATE OF 1999 AMENDMENT

Amendment by section 1000(a)(9) [title IV, § 4402(b)(2)] of Pub. L. 106–113 effective on date that is 6 months after Nov. 29, 1999, and, except for design patent application filed under chapter 16 of Title 35, applicable to any application filed on or after such date, see section 1000(a)(9) [title IV, § 4405(a)] of Pub. L. 106–113, set out as a note under section 154 of Title 35, Patents.

Amendment by section 1000(a)(9) [title IV, § 4732(b)(14)] of Pub. L. 106–113 effective 4 months after Nov. 29, 1999, see section 1000(a)(9) [title IV, § 4731] of Pub. L. 106–113, set out as a note under section 1 of Title 35, Patents.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by section 102(c) of Pub. L. 102–572 effective Jan. 1, 1993, see section 1101(a) of Pub. L. 102–572, set out as a note under section 905 of Title 2, The Congress.

Amendment by section 902(b)(1) of Pub. L. 102–572 effective Oct. 29, 1992, see section 911 of Pub. L. 102–572, set out as a note under section 171 of this title.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100–418 effective Jan. 1, 1989, and applicable with respect to articles entered on or after such date, see section 1217(b)(1) of Pub. L. 100–418, set out as an Effective Date note under section 3001 of Title 19, Customs Duties.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98–622 applicable to all United States patents granted before, on, or after Nov. 8, 1984, and to all applications for United States patents pending on or filed after that date, except as otherwise provided, see section 106 of Pub. L. 98–622, set out as a note under section 103 of Title 35, Patents.

Amendment by Pub. L. 98–622 effective three months after Nov. 8, 1984, see section 207 of Pub. L. 98–622, set out as a note under section 41 of Title 35.

EFFECTIVE DATE

Section effective Oct. 1, 1982, see section 402 of Pub. L. 97–164, set out as an Effective Date of 1982 Amendment note under section 171 of this title.

ABOLITION OF TEMPORARY EMERGENCY COURT OF APPEALS

Section 102(d), (e) of Pub. L. 102–572 provided that:

''(d) ABOLITION OF COURT.—The Temporary Emergency Court of Appeals created by section 211(b) of the Economic Stabilization Act of 1970 [Pub. L. 91–379, formerly set out as a note under section 1904 of Title 12, Banks and Banking] is abolished, effective 6 months after the date of the enactment of this Act [Oct. 29, 1992].

''(e) PENDING CASES.—(1) Any appeal which, before the effective date of abolition described in subsection (d), is pending in the Temporary Emergency Court of Appeals but has not been submitted to a panel of such court as of that date shall be assigned to the United States Court of Appeals for the Federal Circuit as though the appeal had originally been filed in that court.

''(2) Any case which, before the effective date of abolition described in subsection (d), has been submitted to a panel of the Temporary Emergency Court of Appeals and as to which the mandate has not been issued as of that date shall remain with that panel for all purposes and, notwithstanding the provisions of sections 291 and 292 of title 28, United States Code, that panel shall be assigned to the United States Court of Appeals for the Federal Circuit for the purpose of deciding such case.''

TERMINATION OF UNITED STATES DISTRICT COURT FOR THE DISTRICT OF THE CANAL ZONE

For termination of the United States District Court for the District of the Canal Zone at end of the ''transition period'', being the 30-month period beginning Oct. 1, 1979, and ending midnight Mar. 31, 1982, see Paragraph 5 of Article XI of the Panama Canal Treaty of 1977 and sections 2101 and 2201 to 2203 of Pub. L. 96–70, title II, Sept. 27, 1979, 93 Stat. 493, formerly classified to sections 3831 and 3841 to 3843, respectively, of Title 22, Foreign Relations and Intercourse.

§ 1296. Review of certain agency actions

(a) JURISDICTION.—Subject to the provisions of chapter 179, the United States Court of Appeals for the Federal Circuit shall have jurisdiction over a petition for review of a final decision under chapter 5 of title 3 of—

(1) an appropriate agency (as determined under section 454 of title 3);

(2) the Federal Labor Relations Authority made under part D of subchapter II of chapter 5 of title 3, notwithstanding section 7123 of title 5; or

(3) the Secretary of Labor or the Occupational Safety and Health Review Commission, made under part C of subchapter II of chapter 5 of title 3.

(b) FILING OF PETITION.—Any petition for review under this section must be filed within 30 days after the date the petitioner receives notice of the final decision.

(Added Pub. L. 104–331, § 3(a)(1), Oct. 26, 1996, 110 Stat. 4068.)

PRIOR PROVISIONS

A prior section 1296, added Pub. L. 97–164, title I, § 127(a), Apr. 2, 1982, 96 Stat. 39, related to precedence of cases in United States Court of Appeals for the Federal Circuit, prior to repeal by Pub. L. 98–620, title IV, § 402(29)(C), Nov. 8, 1984, 98 Stat. 3359.

EFFECTIVE DATE

Section 3(d) of Pub. L. 104–331 provided that: ''The amendments made by this section [enacting this section and sections 1413 and 3901 to 3908 of this title and amending sections 1346 and 2402 of this title] shall take effect on October 1, 1997.''

CHAPTER 85—DISTRICT COURTS; JURISDICTION

Sec.
1330. Actions against foreign states.

Sec.
1331. Federal question.
1332. Diversity of citizenship; amount in controversy; costs.
1333. Admiralty, maritime and prize cases.
1334. Bankruptcy cases and proceedings.
1335. Interpleader.
1336. Surface Transportation Board's orders.
1337. Commerce and antitrust regulations; amount in controversy, costs.
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1340. Internal revenue; customs duties.
1341. Taxes by States.
1342. Rate orders of State agencies.
1343. Civil rights and elective franchise.
1344. Election disputes.
1345. United States as plaintiff.
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1348. Banking association as party.
1349. Corporation organized under federal law as party.
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1351. Consuls, vice consuls, and members of a diplomatic mission as defendant.
1352. Bonds executed under federal law.
1353. Indian allotments.
1354. Land grants from different states.
1355. Fine, penalty or forfeiture.
1356. Seizures not within admiralty and maritime jurisdiction.
1357. Injuries under Federal laws.
1358. Eminent domain.
1359. Parties collusively joined or made.
1360. State civil jurisdiction in actions to which Indians are parties.
1361. Action to compel an officer of the United States to perform his duty.
1362. Indian tribes.
1363. Jurors' employment rights.
1364. Direct actions against insurers of members of diplomatic missions and their families.
1365. Senate actions.
1366. Construction of references to laws of the United States or Acts of Congress.
1367. Supplemental jurisdiction.
1368. Counterclaims in unfair practices in international trade.
1369. Multiparty, multiforum jurisdiction.

AMENDMENTS

2002—Pub. L. 107–273, div. C, title I, § 11020(b)(1)(B), Nov. 2, 2002, 116 Stat. 1827, added item 1369.

1999—Pub. L. 106–113, div. B, § 1000(a)(9) [title III, § 3009(2)], Nov. 29, 1999, 113 Stat. 1536, 1501A–552, substituted ''trademarks'' for ''trade-marks'' in item 1338.

1998—Pub. L. 105–304, title V, § 503(b)(2)(B), Oct. 28, 1998, 112 Stat. 2917, inserted ''designs,'' after ''mask works,'' in item 1338.

1995—Pub. L. 104–88, title III, § 305(a)(4), Dec. 29, 1995, 109 Stat. 944, substituted ''Surface Transportation Board's'' for ''Interstate Commerce Commission's'' in item 1336.

1994—Pub. L. 103–465, title III, § 321(b)(3)(B), Dec. 8, 1994, 108 Stat. 4947, added item 1368.

1990—Pub. L. 101–650, title III, § 310(b), Dec. 1, 1990, 104 Stat. 5114, added item 1367.

1988—Pub. L. 100–702, title X, § 1020(a)(7), Nov. 19, 1988, 102 Stat. 4672, substituted ''Actions'' for ''Action'' in item 1330, inserted a period after ''question'' in item 1331, substituted ''plant variety protection, copyrights, mask works, trade-marks,'' for ''copyrights, and trademarks'' in item 1338, and inserted ''and elective franchise'' in item 1343.

1986—Pub. L. 99–336, § 6(a)(1)(A), June 19, 1986, 100 Stat. 638, renumbered item 1364 ''Senate actions'' and item 1364 ''Construction of references to laws of the United States or Acts of Congress'' as items 1365 and 1366, respectively.

1984—Pub. L. 98–353, title I, § 101(b), July 10, 1984, 98 Stat. 333, substituted ''cases'' for ''matters'' in item 1334.

1980—Pub. L. 96–486, § 2(b), Dec. 1, 1980, 94 Stat. 2369, struck out ''; amount in controversy; costs.'' after ''question'' in item 1331.

1978—Pub. L. 95–598, title II, § 238(b), Nov. 6, 1978, 92 Stat. 2668, directed the substitution of ''Bankruptcy appeals'' for ''Bankruptcy matters and proceedings'' in item 1334, which amendment did not become effective pursuant to section 402(b) of Pub. L. 95–598, as amended, set out as an Effective Date note preceding section 101 of Title 11, Bankruptcy.

Pub. L. 95–572, § 6(b)(2), Nov. 2, 1978, 92 Stat. 2457, added item 1363 and redesignated former item 1363 ''Construction of references to laws of the United States or Acts of Congress'', as 1364.

Pub. L. 95–521, title VII, § 705(f)(2), Oct. 26, 1978, 92 Stat. 1880, added item 1364 ''Senate actions''.

Pub. L. 95–486, § 9(c), Oct. 20, 1978, 92 Stat. 1634, substituted ''Commerce and antitrust regulations; amount in controversy, costs'' for ''Commerce and antitrust regulations'' in item 1337.

Pub. L. 95–393, §§ 7(b), 8(a)(2), Sept. 30, 1978, 92 Stat. 810, substituted ''Consuls, vice consuls, and members of a diplomatic mission as defendant'' for ''Consuls and vice consuls as defendants'' in item 1351 and added item 1364 ''Direct actions against insurers of members of diplomatic missions and their families''.

1976—Pub. L. 94–583, § 2(b), Oct. 21, 1976, 90 Stat. 2891, added item 1330.

1970—Pub. L. 91–358, title I, § 172(c)(2), July 29, 1970, 84 Stat. 591, added item 1363.

1966—Pub. L. 89–635, § 2, Oct. 10, 1966, 80 Stat. 880, added item 1362.

1962—Pub. L. 87–748, § 1(b), Oct. 5, 1962, 76 Stat. 744, added item 1361.

1958—Pub. L. 85–554, § 4, July 25, 1958, 72 Stat. 415, inserted ''costs'' in items 1331 and 1332.

1953—Act Aug. 15, 1953, ch. 505, § 3, 67 Stat. 589, added item 1360.

§ 1330. Actions against foreign states

(a) The district courts shall have original jurisdiction without regard to amount in controversy of any nonjury civil action against a foreign state as defined in section 1603(a) of this title as to any claim for relief in personam with respect to which the foreign state is not entitled to immunity either under sections 1605–1607 of this title or under any applicable international agreement.

(b) Personal jurisdiction over a foreign state shall exist as to every claim for relief over which the district courts have jurisdiction under subsection (a) where service has been made under section 1608 of this title.

(c) For purposes of subsection (b), an appearance by a foreign state does not confer personal jurisdiction with respect to any claim for relief not arising out of any transaction or occurrence enumerated in sections 1605–1607 of this title.

(Added Pub. L. 94–583, § 2(a), Oct. 21, 1976, 90 Stat. 2891.)

EFFECTIVE DATE

Section effective 90 days after Oct. 21, 1976, see section 8 of Pub. L. 94–583, set out as a note under section 1602 of this title.

§ 1331. Federal question

The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.