

the date of the denial. If the petition for a retroactive license is denied with respect to the invention of a pending application and no petition under § 1.181 has been filed, a final rejection of the application under 35 U.S.C. 185 will be made.

(c) The granting of a retroactive license does not excuse any violation of the export regulations contained in 22 CFR parts 121 through 130 (International Traffic in Arms Regulations of the Department of State), 15 CFR part 379 (Regulations of Office of Export Administration, International Trade Administration, Department of Commerce) and 10 CFR part 810 (Foreign Atomic Energy Programs of the Department of Energy) which may have occurred because of the failure to obtain an appropriate license prior to export.

[49 FR 13463, Apr. 4, 1984, as amended at 56 FR 1929, Jan. 18, 1991]

#### GENERAL

##### **§ 5.31 Effect of modification, rescission or license.**

Any consent, rescission or license under the provisions of this part does not lessen the responsibilities of the principals in respect to any Government contract or the requirements of any other Government agency.

[24 FR 10381, Dec. 22, 1959. Redesignated at 49 FR 13463, Apr. 4, 1984]

##### **§ 5.32 Papers in English language.**

All papers submitted in connection with petitions must be in the English language, or be accompanied by an English translation and a translator's certificate as to the true, faithful and exact character of the translation.

[24 FR 10381, Dec. 22, 1959. Redesignated at 49 FR 13463, Apr. 4, 1984]

##### **§ 5.33 Correspondence.**

All correspondence in connection with this part, including petitions, should be addressed to "Assistant Commissioner for Patents (Attention: Licensing and Review), Washington, D.C. 20231."

[61 FR 56448, Nov. 1, 1996]

## **PART 6—CLASSIFICATION OF GOODS AND SERVICES UNDER THE TRADEMARK ACT**

EDITORIAL NOTE: Part 6 is placed in a separate grouping of parts pertaining to trademarks. It appears on page 270 of this volume.

## **PART 7—REGISTER OF GOVERNMENT INTERESTS IN PATENTS**

Sec.

- 7.1 Requirements.
- 7.2 Assignments.
- 7.3 Licenses.
- 7.4 Abbreviated copy.
- 7.5 Instruments already on record.
- 7.6 Access to register.
- 7.7 Secret register.

AUTHORITY: E.O. 9424, Feb. 18, 1944, 9 FR 1959; 3 CFR 1943-1948 Comp.

SOURCE: 24 FR 10383, Dec. 22, 1959, unless otherwise noted.

### **§ 7.1 Requirements.**

(a) Executive Order 9424 (3 CFR 1943-1948 Comp.) requires the several departments and other executive agencies of the Government, including Government-owned or Government-controlled corporations, to forward promptly to the Commissioner of Patents and Trademarks for recording all licenses, assignments, or other interests of the Government in or under patents or applications for patents.

(b) An instrument relating to a patent must identify the patent by the patent number. An instrument relating to a national patent application must identify the national patent application by the application number (consisting of the series code and the serial number, e.g., 07/123,456) or the serial number and filing date. An instrument relating to an international patent application which designates the United States of America must identify the international applications by the international application number (e.g., PCT/US90/01234). If an assignment is executed concurrently with, or subsequent to, the execution of the patent application, but before the patent application is filed, it must identify the patent application by its date of execution, name of each inventor, and title of the