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**AMENDMENT TO THE AMENDMENT OFFERED BY
MR. SMITH TO H.R. 1249
OFFERED BY MR. GOODLATTE OF VIRGINIA**

Page 6, strike lines 3 through 9 and insert the following:

*passes
V/V*

1 “(ii) the claimed invention that is the
2 subject of the defense was disclosed to the
3 public in a manner that qualified for the
4 exception from the prior art under section
5 102(b) and the commercialization date re-
6 lied upon under paragraph (1) for estab-
7 lishing entitlement to the defense is less
8 than 1 year from such disclosure to the
9 public;”.