

115TH CONGRESS  
2D SESSION

# H. R. 6390

To direct the Administrator of the Small Business Administration to study and identify best practices for closing the gender, race, and income gap in patenting rates for certain small business concerns, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2018

Mrs. COMSTOCK (for herself, Mr. FITZPATRICK, Mr. COSTA, Mr. HASTINGS, Mr. JEFFRIES, Mr. LIPINSKI, Ms. CLARKE of New York, and Mr. PETERS) introduced the following bill; which was referred to the Committee on Small Business, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To direct the Administrator of the Small Business Administration to study and identify best practices for closing the gender, race, and income gap in patenting rates for certain small business concerns, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Study of Underrep-  
3 resented Classes Chasing Engineering and Science Suc-  
4 cess Act of 2018” or the “SUCCESS Act”.

5 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) Patents and other forms of intellectual  
8 property are important engines of innovation, inven-  
9 tion, and economic growth.

10 (2) Many innovative small businesses, which  
11 create over 20 percent of the total number of new  
12 jobs created in the United States each year, depend  
13 on patent protections to commercialize new tech-  
14 nologies.

15 (3) Universities and their industry partners also  
16 rely on patent protections to transfer innovative new  
17 technologies from the laboratory or classroom to  
18 commercial use.

19 (4) Recent studies have shown that there is a  
20 significant gap in the number of patents applied for  
21 and obtained by women, socially disadvantaged indi-  
22 viduals, and economically disadvantaged individuals  
23 and the number of patents applied for and obtained  
24 by individuals from other groups.

25 (b) SENSE OF CONGRESS.—It is the sense of Con-  
26 gress that the United States has the responsibility to work

1 with the private sector to close the gap in the number of  
2 patents applied for and obtained by women, socially dis-  
3 advantaged individuals, and economically disadvantaged  
4 individuals to harness the maximum innovative potential  
5 and continue to promote United States leadership in the  
6 global economy.

7 **SEC. 3. REPORT.**

8 (a) STUDY.—The Administrator of the Small Busi-  
9 ness Administration, in consultation with the Under Sec-  
10 retary of Commerce for Intellectual Property and Director  
11 of the United States Patent and Trademark Office and  
12 any other head of an appropriate Federal agency, shall  
13 conduct a study that—

14 (1) identifies the benefits of increasing the  
15 number of patents applied for and obtained by—

16 (A) small business concerns owned and  
17 controlled by women; and

18 (B) small business concerns owned and  
19 controlled by socially and economically dis-  
20 advantaged individuals; and

21 (2) provides legislative recommendations for  
22 how to—

23 (A) promote the participation of women,  
24 socially disadvantaged individuals, and economi-

1 cally disadvantaged individuals in entrepreneur-  
2 ship activities; and

3 (B) increase the number of women, socially  
4 disadvantaged individuals, and economically dis-  
5 advantaged individuals who apply for and ob-  
6 tain patents.

7 (b) REPORT.—Not later than 6 months after the date  
8 of the enactment of this Act, the Administrator of the  
9 Small Business Administration shall submit to the Com-  
10 mittee on Small Business of the House of Representatives  
11 and the Committee on Small Business and Entrepreneur-  
12 ship of the Senate a report on the results of the study  
13 conducted under subsection (a).

14 (c) DEFINITIONS.—In this Act:

15 (1) ECONOMICALLY DISADVANTAGED INDI-  
16 VIDUAL.—The term “economically disadvantaged in-  
17 dividual” has the meaning given the term under sec-  
18 tion 8(a)(6)(A) of the Small Business Act (15  
19 U.S.C. 637(a)(6)(A)).

20 (2) SMALL BUSINESS CONCERN OWNED AND  
21 CONTROLLED BY SOCIALLY AND ECONOMICALLY DIS-  
22 ADVANTAGED INDIVIDUALS.—The term “small busi-  
23 ness concern owned and controlled by socially and  
24 economically disadvantaged individuals” has the

1 meaning given the term under section 8(d)(3)(C) of  
2 the Small Business Act (15 U.S.C. 637(d)(3)(C)).

3 (3) SMALL BUSINESS CONCERN OWNED AND  
4 CONTROLLED BY WOMEN.—The term “small busi-  
5 ness concern owned and controlled by women” has  
6 the meaning given the term under section 3(n) of  
7 the Small Business Act (15 U.S.C. 632(n)).

8 (4) SOCIALLY DISADVANTAGED INDIVIDUAL.—  
9 The term “socially disadvantaged individual” has  
10 the meaning given the term under section 8(a)(5) of  
11 the Small Business Act (15 U.S.C. 637(a)(5)).

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