

Public Law 93-598

January 2, 1975
[H. R. 8591]

AN ACT

To authorize the President to appoint to the active list of the Navy and Marine Corps certain Reserves and temporary officers.

Navy and Marine Corps.
Presidential appointments to active list.
10 USC 5573a note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding section 5573a of title 10, United States Code, or any other law, the President may make appointments to the active list of the Navy in permanent grades not above captain, and to the active list of the Marine Corps in permanent grades not above colonel from officers of the following who were in a missing status as defined in section 551(2) of title 37, United States Code, during the Vietnam conflict as a result of that conflict:

(1) The Naval Reserve or the Marine Corps Reserve.

(2) The Regular Navy or Marine Corps who do not hold permanent commission appointments therein.

SEC. 2. For the purposes of this Act, the Vietnam conflict—

(1) begins on February 28, 1961;

(2) ends on the date designated by the President by Executive order as the date of the termination of combatant activities in Vietnam; and

(3) includes activities in Vietnam, Laos, Cambodia and Thailand.

SEC. 3. The authority to make appointments under this Act shall expire two years from the date of enactment.

Approved January 2, 1975.

Vietnam conflict.
10 USC 5573a note.

10 USC 5573a note.

Public Law 93-599

January 2, 1975
[H. R. 8958]

AN ACT

To amend the Federal Property and Administrative Services Act of 1949 to provide for the disposal of certain excess and surplus Federal property to the Secretary of the Interior for the benefit of any group, band, or tribe of Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 202(a) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 483(a)) is amended as follows:

(1) The first sentence of such subsection is amended by striking out "In" at the beginning of such sentence and inserting in lieu thereof: "(1) Subject to the provisions of paragraph (2) of this subsection, in".

(2) Such subsection is amended by adding at the end thereof the following new paragraph:

"(2) The Administrator shall prescribe such procedures as may be necessary in order to transfer without compensation to the Secretary of the Interior excess real property located within the reservation of any group, band, or tribe of Indians which is recognized as eligible for services by the Bureau of Indian Affairs. Such excess real property shall be held in trust by the Secretary for the benefit and use of the group, band, or tribe of Indians, within whose reservation such excess real property is located: *Provided,* That such transfers of real property within the State of Oklahoma shall be made to the Secretary of the Interior to be held in trust for Oklahoma Indian tribes recognized by the Secretary of the Interior when such real property (1) is located within boundaries of former reservations in Oklahoma as defined by the Secretary of Interior and when such real property was held in trust by the United States for an Indian tribe at the time of

Indian reservations.
Excess property, disposal.

acquisition by the United States, or (2) is contiguous to real property presently held in trust by the United States for an Oklahoma Indian tribe and was at any time held in trust by the United States for an Indian tribe.”

Approved January 2, 1975.

Public Law 93-600

AN ACT

January 2, 1975
[H. R. 8981]

To amend the Trademark Act to extend the time for filing oppositions, to eliminate the requirement for filing reasons of appeal in the Patent Office, and to provide for awarding attorney fees.

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

SECTION 1. Section 13 of the Trademark Act of 1946 (60 Stat. 427), as amended, is amended by deleting the second sentence and substituting therefor: “Upon written request prior to the expiration of the thirty-day period, the time for filing opposition shall be extended for an additional thirty days, and further extensions of time for filing opposition may be granted by the Commissioner for good cause. The Commissioner shall notify the applicant of each extension of the time for filing opposition.”

Trademarks.
Extension for
filing oppositions.
15 USC 1063.

SEC. 2. Section 21 of the Trademark Act of 1946 (60 Stat. 427), as amended, is amended by deleting subsections (2), (3), and (4) from paragraph (a) and substituting therefor:

15 USC 1071.

“(2) Such an appeal to the United States Court of Customs and Patent Appeals shall be taken by filing a notice of appeal with the Commissioner, within sixty days after the date of the decision appealed from or such longer time after said date as the Commissioner appoints. The notice of such appeal shall specify the party or parties taking the appeal, shall designate the decision or part thereof appealed from, and shall state that the appeal is taken to said court.

Notice of
appeal.

“(3) The court shall, before hearing such appeal, give notice of the time and place of the hearing to the Commissioner and the parties thereto. The Commissioner shall transmit to the court certified copies of all the necessary original papers and evidence in the case specified by the appellant and any additional papers and evidence specified by the appellee, and in an ex parte case the Commissioner shall furnish the court with a brief explaining the grounds of the decision of the Patent Office, touching all the points involved in the appeal.

Hearing, notice.

“(4) The court shall decide such appeal on the evidence produced before the Patent Office. The court shall return to the Commissioner a certificate of its proceedings and decision, which shall be entered of record in the Patent Office and govern further proceedings in the case.”

SEC. 3. Section 35 of the Trademark Act of 1946 (60 Stat. 427), as amended, is amended by adding the following sentence at the end thereof: “The court in exceptional cases may award reasonable attorney fees to the prevailing party.”

Attorney fees.
15 USC 1117.

SEC. 4. This Act shall become effective upon enactment, but shall not affect any suit, proceeding, or appeal then pending.

Effective date.
15 USC 1063
note.

Approved January 2, 1975.