

119TH CONGRESS
2^D SESSION

H. R. 9143

To amend title 35, United States Code, to require the Director of the United States Patent and Trademark Office to require disclosures in patent applications regarding ties to the People’s Republic of China and other foreign adversaries, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2026

Mr. FITZGERALD introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 35, United States Code, to require the Director of the United States Patent and Trademark Office to require disclosures in patent applications regarding ties to the People’s Republic of China and other foreign adversaries, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Foreign Adversary
5 Patent Disclosure Act”.

1 **SEC. 2. DISCLOSURES IN PATENT APPLICATIONS REGARD-**
2 **ING TIES TO THE PEOPLE’S REPUBLIC OF**
3 **CHINA AND OTHER FOREIGN ADVERSARIES.**

4 (a) DISCLOSURES IN PATENT APPLICATIONS RE-
5 GARDING TIES TO PEOPLE’S REPUBLIC OF CHINA AND
6 OTHER FOREIGN ADVERSARIES.—Section 111 of title 35,
7 United States Code, is amended by adding at the end the
8 following:

9 “(d) DISCLOSURES REGARDING TIES TO PEOPLE’S
10 REPUBLIC OF CHINA AND OTHER FOREIGN ADVER-
11 SARIES.—

12 “(1) DISCLOSURE.—The Director shall require
13 each person submitting an application for patent
14 under subsection (a), or a provisional application for
15 a patent under subsection (b), to disclose in the ap-
16 plication the identity of each person with an owner-
17 ship interest in the invention being claimed that in
18 the 5 years before submitting such application—

19 “(A) was employed by an entity subject to
20 ownership or control by a foreign adversary;

21 “(B) received funding from a state-affili-
22 ated research fund or talent recruitment pro-
23 gram associated with a foreign adversary; or

24 “(C) received any other financial incentive
25 from a foreign adversary related to the applica-
26 tion, grant, or enforcement of a patent.

1 “(2) REQUEST FOR TRUE COPIES.—

2 “(A) IN GENERAL.—After reviewing any
3 disclosure made by an applicant in accordance
4 with paragraph (1), the Director may (as the
5 Director determines appropriate) request such
6 applicant provide true copies of any contractual
7 or financial obligation or other agreement spe-
8 cific to such disclosure.

9 “(B) CONFIDENTIALITY.—Any true copy
10 provided to the Director under subparagraph
11 (A) may be kept confidential and separate from
12 the file wrapper of the patent application.

13 “(3) EXEMPTION.—Any applicant who is a
14 small business concern and is subject to disclosures
15 pursuant to subsection (g) or (o) of section 9 of the
16 Small Business Act (15 U.S.C. 638) shall be exempt
17 from making the disclosure required by paragraph
18 (1).

19 “(4) FOREIGN ADVERSARY DEFINED.—In this
20 subsection, the term ‘foreign adversary’ means—

21 “(A) the People’s Republic of China, in-
22 cluding all Special Administrative Regions;

23 “(B) the Republic of Cuba;

24 “(C) the Islamic Republic of Iran;

1 “(D) the Democratic People’s Republic of
2 Korea; and
3 “(E) the Russian Federation.”.

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