

U.S. Code, Title 35: Patents
Section 103: Non-obvious subject matter

Amendment of section, effective March 16, 2013. Act Sept. 16, 2011, P.L. 112-29, § 3(c), 125 Stat. 287, provides that this section is amended to read as follows:

§ 103. Conditions for patentability; non-obvious subject matter

A patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.

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