

Assembly Joint Resolution No. 15

RESOLUTION CHAPTER 86

Assembly Joint Resolution No. 15—Relative to the Mag Instrument flashlight patent.

[Filed with Secretary of State July 18, 2005.]

LEGISLATIVE COUNSEL'S DIGEST

AJR 15, Baca. Mag Instrument flashlight patent.

This measure would memorialize the Congress and the President of the United States to take necessary action to extend by 2 years the Mag Instrument flashlight patent by approving HR 607 and thereby protecting this highly valued manufacturing company and prized employment for the citizens of the Inland Empire.

WHEREAS, The Mag Instrument Company is headquartered in San Bernardino County and it produces the Maglite flashlight at its facility in Ontario, California; and

WHEREAS, In the 1970's, the Mag Instrument Company invented the anodized aluminum flashlight that we know today as the Maglite which is widely used by police officers, firefighters, and mechanics; and

WHEREAS, Unlike many companies, Mag Instrument has chosen to keep its production facility in California rather than transferring the production work overseas; and

WHEREAS, The Mag Instrument Company currently employs 900 persons at its factory, offices, and distribution center in Ontario, California; and

WHEREAS, These facilities and jobs are jeopardized if Congress allows the expiration of Mag Instrument's flashlight patent; and

WHEREAS, During the weeks following the September 11, 2001 attack, the Mag Instrument Company donated thousands of flashlights to aid in the rescue efforts at the World Trade Center and the Pentagon; and

WHEREAS, The Mag Instrument Company is in the process of constructing an integrated manufacturing facility in Ontario, California, at the cost of \$80 million, that may create an additional 2,400 jobs and contribute an estimated \$260 million per year in purchases, capital investments, and research, if the patent is extended; and

WHEREAS, The Mag Instrument Company experienced a 13-year delay, from 1990 to 2003, in receiving a reissue patent, the Patent and Trademark Office cannot issue any more extensions, and any extensions of reissued patents must be accomplished through the legislative process; and

WHEREAS, Congressman Joe Baca has introduced House Resolution 607 to extend Mag Instrument's flashlight patent for two years, from 2005 to 2007; and

WHEREAS, In the absence of congressional action to extend the patent, the likely outcome is that foreign companies would begin to produce imitations and knockoffs; and

WHEREAS, If Congress fails to act on House Resolution 607, it will jeopardize more than 900 jobs and the viability of the Maglite Instrument Company as well as harm the economy of the San Bernardino County; and

WHEREAS, Retaining more than 900 jobs in San Bernardino County and the production, office, and distribution facilities of the Mag Instrument Company are in the interest of the State of California because they aid the county's economy and enhance the quality of life for the people of the Inland Empire; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California memorializes the Congress and the President of the United States to take necessary action to extend by two years Mag Instrument's flashlight patent by approving House Resolution 607 and thereby protecting this highly valued manufacturing company and prized employment for the citizens of the Inland Empire; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President of the United States, to the Speaker of the House of Representatives, to the Minority Leader of the House of Representatives, to the Senate Majority Leader, to the Senate Minority Leader, and to each Senator and Representative from California in the Congress of the United States.