

106TH CONGRESS
1ST SESSION

H. R. 1761

To amend provisions of title 17, United States Code.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 1999

Mr. ROGAN (for himself and Mr. COBLE) introduced the following bill; which
was referred to the Committee on the Judiciary

A BILL

To amend provisions of title 17, United States Code.

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 “Copyright Damages
5 Improvement Act of 1999”.

6 **SEC. 2. STATUTORY DAMAGES ENHANCEMENT.**

7 Section 504(c) of title 17, United States Code, is
8 amended—

9 (1) in paragraph (1)—

10 (A) by striking “\$500” and inserting
11 “\$750”; and

1 (B) by striking “\$20,000” and inserting
2 “\$30,000”; and

3 (2) in paragraph (2)—

4 (A) by inserting “(A)” after “(2)”;

5 (B) by striking “\$100,000” and inserting
6 “\$150,000”;

7 (C) by inserting after the second sentence
8 the following:

9 “(B) In a case where the copyright owner dem-
10 onstrates that the infringement was part of a re-
11 peated pattern or practice of infringement, the court
12 may increase the award of statutory damages to a
13 sum of not more than \$250,000 per work.”; and

14 (D) by striking “The court shall remit
15 statutory damages” and inserting the following:

16 “(C) The court shall remit statutory damages”.

17 **SEC. 3. STATUTORY DAMAGES CLARIFICATION.**

18 Section 504(e) of title 17, United States Code, is
19 amended by inserting at the end the following new sen-
20 tence: “For purposes of chapter 5 of title 11, ‘willful’ in-
21 fringement shall be considered to be willful and malicious
22 injury to the property of another.”.

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