

106TH CONGRESS
1ST SESSION

S. 1257

To amend statutory damages provisions of title 17, United States Code.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 1999

Mr. HATCH (for himself, Mr. LEAHY, and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend statutory damages 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 “Digital Theft Deter-
5 rence and Copyright Damages Improvement Act of 1999”.

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

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

9 (1) in paragraph (1)—

1 (A) by striking “\$500” and inserting
2 “\$750”; and

3 (B) by striking “\$20,000” and inserting
4 “\$30,000”; and

5 (2) in paragraph (2)—

6 (A) by inserting “(A)” after “(2)”;

7 (B) by striking “\$100,000” and inserting
8 “\$150,000”;

9 (C) by inserting after the second sentence
10 the following:

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

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

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

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