

109TH CONGRESS
1ST SESSION

S. 1785

AN ACT

To amend chapter 13 of title 17, United States Code (relating to the vessel hull design protection), to clarify the distinction between a hull and a deck, to provide factors for the determination of the protectability of a revised design, to provide guidance for assessments of substantial similarity, 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 “Vessel Hull Design
5 Protection Amendments of 2005”.

1 **SEC. 2. DESIGNS PROTECTED.**

2 Section 1301(a) of title 17, United States Code, is
3 amended by striking paragraph (2) and inserting the fol-
4 lowing:

5 “(2) VESSEL FEATURES.—The design of a ves-
6 sel hull or deck, including a plug or mold, is subject
7 to protection under this chapter, notwithstanding
8 section 1302(4).”.

9 **SEC. 3. DEFINITIONS.**

10 Section 1301(b) of title 17, United States Code, is
11 amended—

12 (1) in paragraph (2), by striking “vessel hull,
13 including a plug or mold,” and inserting “vessel hull
14 or deck, including a plug or mold,”;

15 (2) by striking paragraph (4) and inserting the
16 following:

17 “(4) A ‘hull’ is the exterior frame or body of a
18 vessel, exclusive of the deck, superstructure, masts,
19 sails, yards, rigging, hardware, fixtures, and other
20 attachments.”; and

21 (3) by adding at the end the following:

22 “(7) A ‘deck’ is the horizontal surface of a ves-
23 sel that covers the hull, including exterior cabin and

- 1 cockpit surfaces, and exclusive of masts, sails, yards,
- 2 rigging, hardware, fixtures, and other attachments.”.

Passed the Senate November 18, 2005.

Attest:

Secretary.

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