

HR 4358

Stop Counterfeiting in Manufactured Goods Act

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Crime and Law Enforcement

Introduced: May 13, 2004

Current Status: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

Latest Action: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security. (May 20, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/4358>

Sponsor

Name: Rep. Knollenberg, Joe [R-MI-9]

Party: Republican • **State:** MI • **Chamber:** House

Cosponsors (23 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Green, Mark [R-WI-8]	R · WI		May 13, 2004
Rep. Ballenger, Cass [R-NC-10]	R · NC		Jun 3, 2004
Rep. Coble, Howard [R-NC-6]	R · NC		Jun 3, 2004
Rep. Ehlers, Vernon J. [R-MI-3]	R · MI		Jun 3, 2004
Rep. Gillmor, Paul E. [R-OH-5]	R · OH		Jun 3, 2004
Rep. Hart, Melissa A. [R-PA-4]	R · PA		Jun 3, 2004
Rep. Hoekstra, Peter [R-MI-2]	R · MI		Jun 3, 2004
Rep. Kaptur, Marcy [D-OH-9]	D · OH		Jun 3, 2004
Rep. McCotter, Thaddeus G. [R-MI-11]	R · MI		Jun 3, 2004
Rep. Miller, Candice S. [R-MI-10]	R · MI		Jun 3, 2004
Rep. Rogers, Mike J. [R-MI-8]	R · MI		Jun 3, 2004
Rep. Upton, Fred [R-MI-6]	R · MI		Jun 3, 2004
Rep. McGovern, James P. [D-MA-3]	D · MA		Jun 17, 2004
Rep. Camp, Dave [R-MI-4]	R · MI		Jun 25, 2004
Rep. Terry, Lee [R-NE-2]	R · NE		Jul 6, 2004
Rep. Manzullo, Donald A. [R-IL-16]	R · IL		Jul 7, 2004
Rep. Levin, Sander M. [D-MI-12]	D · MI		Jul 8, 2004
Rep. Simmons, Rob [R-CT-2]	R · CT		Jul 9, 2004
Rep. Smith, Nick [R-MI-7]	R · MI		Jul 20, 2004
Rep. Miller, Jeff [R-FL-1]	R · FL		Jul 21, 2004
Rep. Gerlach, Jim [R-PA-6]	R · PA		Jul 22, 2004
Rep. Rohrabacher, Dana [R-CA-46]	R · CA		Sep 7, 2004
Rep. Weldon, Curt [R-PA-7]	R · PA		Sep 7, 2004

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	May 20, 2004

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

No related bills are listed.

Summary (as of May 13, 2004)

Stop Counterfeiting in Manufactured Goods Act - Modifies Federal criminal code provisions regarding trafficking in counterfeit goods or services to prohibit trafficking in counterfeit marks. Directs the court: (1) upon a determination by a preponderance of the evidence that any articles in a defendant's possession bear or are counterfeit marks, to order the forfeiture and destruction of such articles, regardless of the defendant's criminal culpability; and (2) in imposing sentence, to order a person convicted of, or who pleads guilty or nolo contendere to, a violation to forfeit any property derived from proceeds of, or used in the commission of, the violation.

Modifies the definition of "counterfeit mark" to include a spurious mark that is applied to, or consists of, a label, patch or medallion.

Authorizes the court, in determining whether a particular mark is a "famous mark," to consider information, data, testimony, and documentation regarding specified factors, such as the degree of inherent or acquired distinctiveness and the degree of general public recognition of the mark, and the record of successful criminal, civil, or administrative enforcement of rights in the mark. Places upon the United States the burden of proof and persuasion regarding the determination of whether a particular mark is a famous mark.

Prohibits prosecution of a person by virtue of a counterfeit mark that has been lawfully registered and that is valid at the time of the alleged offense.

Actions Timeline

- **May 20, 2004:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **May 14, 2004:** Sponsor introductory remarks on measure. (CR E854)
- **May 13, 2004:** Introduced in House
- **May 13, 2004:** Introduced in House
- **May 13, 2004:** Referred to the House Committee on the Judiciary.