

S 1699

Stop Counterfeiting in Manufactured Goods Act

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Sep 14, 2005

Current Status: Held at the desk.

Latest Action: Held at the desk. (Nov 14, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/1699>

Sponsor

Name: Sen. Specter, Arlen [R-PA]

Party: Republican • State: PA • Chamber: Senate

Cosponsors (16 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Bayh, Evan [D-IN]	D · IN		Sep 14, 2005
Sen. Brownback, Sam [R-KS]	R · KS		Sep 14, 2005
Sen. Cornyn, John [R-TX]	R · TX		Sep 14, 2005
Sen. DeWine, Mike [R-OH]	R · OH		Sep 14, 2005
Sen. Feingold, Russell D. [D-WI]	D · WI		Sep 14, 2005
Sen. Hatch, Orrin G. [R-UT]	R · UT		Sep 14, 2005
Sen. Leahy, Patrick J. [D-VT]	D · VT		Sep 14, 2005
Sen. Levin, Carl [D-MI]	D · MI		Sep 14, 2005
Sen. Reed, Jack [D-RI]	D · RI		Sep 14, 2005
Sen. Stabenow, Debbie [D-MI]	D · MI		Sep 14, 2005
Sen. Voinovich, George V. [R-OH]	R · OH		Sep 14, 2005
Sen. Durbin, Richard J. [D-IL]	D · IL		Oct 5, 2005
Sen. Kyl, Jon [R-AZ]	R · AZ		Oct 28, 2005
Sen. Coburn, Tom [R-OK]	R · OK		Nov 3, 2005
Sen. Feinstein, Dianne [D-CA]	D · CA		Nov 3, 2005
Sen. Alexander, Lamar [R-TN]	R · TN		Nov 7, 2005

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Nov 3, 2005

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

## Related Bills

Bill	Relationship	Last Action
109 HR 32	Related bill	<b>Mar 16, 2006:</b> Became Public Law No: 109-181.

## Summary (as of Nov 10, 2005)

Stop Counterfeiting in Manufactured Goods Act - (Sec. 2) Amends federal criminal code provisions regarding trafficking in counterfeit goods or services to prohibit trafficking in counterfeit marks. Subjects to forfeiture any article that bears or consists of a counterfeit mark and any property derived from proceeds of, or used in the commission of, the violation. Makes code provisions regarding civil forfeitures, including general rules for civil forfeiture proceedings, applicable to any seizure or civil forfeiture under this section. Directs the court: (1) at the conclusion of forfeiture proceedings, to order the destruction of any forfeited article bearing or consisting of a counterfeit mark; and (2) to order a person convicted of such offense to pay restitution to the owner of the mark and any other victim of the property offense.

Makes criminal penalties applicable to persons who intentionally traffic, or attempt to traffic, in labels or packaging the use of which is likely to cause confusion, to cause mistake, or to deceive.

Modifies the definition of "counterfeit mark" to include a spurious mark that is applied to, or consists of, a label, patch, medallion, documentation, or packaging that is designed, marketed, or otherwise intended to be used on or in connection with the goods or services for which the mark is registered in the U.S. Patent and Trademark Office. Provides that nothing in this Act shall entitle the United States to bring a criminal cause of action for the repackaging of genuine goods or services not intended to deceive or confuse.

(Sec. 3) Directs the U.S. Sentencing Commission to: (1) review and amend the federal sentencing guidelines applicable to persons convicted of trafficking in counterfeit labels or marks; and (2) determine whether the definition of "infringement amount" under the guidelines is adequate to address situations in which the defendant has been so convicted and the item the defendant trafficked in was intended to facilitate infringement.

## Actions Timeline

- **Nov 14, 2005:** Received in the House.
- **Nov 14, 2005:** Message on Senate action sent to the House.
- **Nov 14, 2005:** Held at the desk.
- **Nov 10, 2005:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(consideration: CR S12714-12718; text as passed Senate: CR S12714-12715)
- **Nov 10, 2005:** Passed Senate with an amendment by Unanimous Consent. (consideration: CR S12714-12718; text as passed Senate: CR S12714-12715)
- **Nov 7, 2005:** Star Print ordered on the bill, as reported.
- **Nov 3, 2005:** Committee on the Judiciary. Ordered to be reported with an amendment favorably.
- **Nov 3, 2005:** Committee on the Judiciary. Reported by Senator Specter with an amendment. Without written report.
- **Nov 3, 2005:** Committee on the Judiciary. Reported by Senator Specter with an amendment. Without written report.
- **Nov 3, 2005:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 278.
- **Sep 14, 2005:** Introduced in Senate
- **Sep 14, 2005:** Sponsor introductory remarks on measure. (CR S10044)
- **Sep 14, 2005:** Read twice and referred to the Committee on the Judiciary.