

HR 32

Stop Counterfeiting in Manufactured Goods Act

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Crime and Law Enforcement

Introduced: Jan 4, 2005

Current Status: Became Public Law No: 109-181.

Latest Action: Became Public Law No: 109-181. (Mar 16, 2006)

Law: 109-181 (Enacted Mar 16, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/32>

Sponsor

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

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

Cosponsors (59 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Camp, Dave [R-MI-4]	R · MI		Jan 4, 2005
Rep. Chabot, Steve [R-OH-1]	R · OH		Jan 4, 2005
Rep. Coble, Howard [R-NC-6]	R · NC		Jan 4, 2005
Rep. Ehlers, Vernon J. [R-MI-3]	R · MI		Jan 4, 2005
Rep. Gillmor, Paul E. [R-OH-5]	R · OH		Jan 4, 2005
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Jan 4, 2005
Rep. Green, Mark [R-WI-8]	R · WI		Jan 4, 2005
Rep. Hoekstra, Peter [R-MI-2]	R · MI		Jan 4, 2005
Rep. Kaptur, Marcy [D-OH-9]	D · OH		Jan 4, 2005
Rep. Levin, Sander M. [D-MI-12]	D · MI		Jan 4, 2005
Rep. McCotter, Thaddeus G. [R-MI-11]	R · MI		Jan 4, 2005
Rep. McGovern, James P. [D-MA-3]	D · MA		Jan 4, 2005
Rep. Miller, Candice S. [R-MI-10]	R · MI		Jan 4, 2005
Rep. Rogers, Mike J. [R-MI-8]	R · MI		Jan 4, 2005
Rep. Rohrabacher, Dana [R-CA-46]	R · CA		Jan 4, 2005
Rep. Simmons, Rob [R-CT-2]	R · CT		Jan 4, 2005
Rep. Smith, Lamar [R-TX-21]	R · TX		Jan 4, 2005
Rep. Terry, Lee [R-NE-2]	R · NE		Jan 4, 2005
Rep. Upton, Fred [R-MI-6]	R · MI		Jan 4, 2005
Rep. Weldon, Curt [R-PA-7]	R · PA		Jan 4, 2005
Rep. Wexler, Robert [D-FL-19]	D · FL		Jan 4, 2005
Rep. Blackburn, Marsha [R-TN-7]	R · TN		Jan 6, 2005
Rep. Manzullo, Donald A. [R-IL-16]	R · IL		Jan 6, 2005
Rep. Calvert, Ken [R-CA-44]	R · CA		Jan 25, 2005
Rep. Pence, Mike [R-IN-6]	R · IN		Jan 25, 2005
Rep. Smith, Adam [D-WA-9]	D · WA		Jan 25, 2005
Rep. Souder, Mark E. [R-IN-3]	R · IN		Jan 25, 2005
Rep. Velazquez, Nydia M. [D-NY-12]	D · NY		Jan 25, 2005
Rep. Ackerman, Gary L. [D-NY-5]	D · NY		Feb 1, 2005
Rep. Gutknecht, Gil [R-MN-1]	R · MN		Feb 1, 2005
Rep. Royce, Edward R. [R-CA-40]	R · CA		Feb 1, 2005
Rep. Schwarz, John J.H. "Joe" [R-MI-7]	R · MI		Feb 1, 2005
Rep. Flake, Jeff [R-AZ-6]	R · AZ		Feb 2, 2005
Rep. Gerlach, Jim [R-PA-6]	R · PA		Feb 2, 2005
Rep. Jenkins, William L. [R-TN-1]	R · TN		Feb 8, 2005
Rep. Kildee, Dale E. [D-MI-5]	D · MI		Feb 8, 2005
Rep. McKeon, Howard P. "Buck" [R-CA-25]	R · CA		Feb 8, 2005
Rep. Platts, Todd Russell [R-PA-19]	R · PA		Feb 8, 2005
Rep. Wilson, Joe [R-SC-2]	R · SC		Feb 9, 2005
Rep. Hostettler, John N. [R-IN-8]	R · IN		Feb 10, 2005
Rep. Maloney, Carolyn B. [D-NY-14]	D · NY		Feb 10, 2005

Cosponsor	Party / State	Role	Date Joined
Rep. Weiner, Anthony D. [D-NY-9]	D · NY		Feb 10, 2005
Rep. Brown, Sherrod [D-OH-13]	D · OH		Feb 15, 2005
Rep. Garrett, Scott [R-NJ-5]	R · NJ		Feb 15, 2005
Rep. Menendez, Robert [D-NJ-13]	D · NJ		Feb 15, 2005
Rep. Feeney, Tom [R-FL-24]	R · FL		Mar 1, 2005
Rep. Fitzpatrick, Michael G. [R-PA-8]	R · PA		Mar 2, 2005
Rep. Ryan, Tim [D-OH-17]	D · OH		Mar 2, 2005
Rep. Watson, Diane E. [D-CA-33]	D · CA		Mar 2, 2005
Rep. Bono, Mary [R-CA-45]	R · CA		Mar 8, 2005
Rep. Chocola, Chris [R-IN-2]	R · IN		Mar 8, 2005
Rep. Gallegly, Elton [R-CA-24]	R · CA		Mar 8, 2005
Rep. Hart, Melissa A. [R-PA-4]	R · PA		Mar 8, 2005
Rep. Kanjorski, Paul E. [D-PA-11]	D · PA		Mar 8, 2005
Rep. Rothman, Steven R. [D-NJ-9]	D · NJ		Mar 8, 2005
Resident Commissioner Fortuno, Luis G. [R-PR-At Large]	R · PR		Mar 8, 2005
Rep. Gohmert, Louie [R-TX-1]	R · TX		Mar 16, 2005
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Mar 16, 2005
Rep. Gordon, Bart [D-TN-6]	D · TN		Apr 12, 2005

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Reported by	Mar 17, 2005
Judiciary Committee	Senate	Discharged From	Feb 16, 2006

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
109 S 1699	Related bill	Nov 14, 2005: Held at the desk.

This measure has not been amended since it was passed by the Senate on February 15, 2006. The summary of that version is repeated here.

Stop Counterfeiting in Manufactured Goods Act - Amends the federal criminal code to revise provisions prohibiting the trafficking in counterfeit goods and services to include trafficking in labels or similar packaging of any type or nature, with knowledge that a counterfeit mark has been applied to such labels or packaging, the use of which is likely to cause confusion, to cause mistake, or to deceive.

Subjects to forfeiture any article that bears or consists of a counterfeit mark and any property used to violate the prohibition against counterfeit marks. Directs a court: (1) at the conclusion of forfeiture proceedings, to order the destruction of any article that bears or consists of a counterfeit mark; and (2) to order any person convicted of using a counterfeit mark to forfeit to the United States property used in commission of the crime and to pay restitution to the owner of the mark and any other affected victim.

Modifies the definition of "counterfeit mark" to include a spurious mark that is applied to or consists of a label or packaging of any type or nature that is designed, marketed, or otherwise intended to be used on or in connection with the goods and services for which the mark is registered in the U.S. Patent and Trademark Office, that is substantially indistinguishable from such registered mark, and that is likely to cause confusion, to cause mistake, or to deceive.

Provides that nothing in this Act shall entitle the United States to bring a criminal prosecution for the repackaging of genuine goods or services not intended to deceive or confuse.

Directs the U.S. Sentencing Commission to: (1) review and amend federal sentencing guidelines and policy statements applicable to persons convicted of trafficking in counterfeit labels or goods and services; and (2) make findings with respect to the definition of "infringement amount."

Protecting American Goods and Services Act of 2005 (sic) - Amends the federal criminal code to modify the definition of "traffic" for purposes of the prohibition against trafficking in counterfeit goods or services to include the motive of commercial advantage or private financial gain in such activity. Applies such definition to related provisions pertaining to: (1) trafficking in sound recordings and music videos of live musical performances; (2) trafficking in counterfeit labels for phonorecords and computer programs; and (3) unauthorized fixation and trafficking in sound recordings and music videos.

Actions Timeline

- **Mar 16, 2006:** Signed by President.
- **Mar 16, 2006:** Signed by President.
- **Mar 16, 2006:** Became Public Law No: 109-181.
- **Mar 16, 2006:** Became Public Law No: 109-181.
- **Mar 10, 2006:** Presented to President.
- **Mar 10, 2006:** Presented to President.
- **Mar 7, 2006:** Mr. Sensenbrenner moved that the House suspend the rules and agree to the Senate amendment. (consideration: CR H593-596)
- **Mar 7, 2006:** DEBATE - The House proceeded with forty minutes of debate on the motion to suspend the rules and agree to the Senate amendment to H.R. 32.
- **Mar 7, 2006:** Resolving differences -- House actions: On motion that the House suspend the rules and agree to the Senate amendment Agreed to by voice vote.(text as House agreed to Senate amendment: CR H593-594)
- **Mar 7, 2006:** On motion that the House suspend the rules and agree to the Senate amendment Agreed to by voice vote. (text as House agreed to Senate amendment: CR H593-594)
- **Mar 7, 2006:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 7, 2006:** Cleared for White House.
- **Feb 15, 2006:** Senate Committee on the Judiciary discharged by Unanimous Consent.
- **Feb 15, 2006:** Senate Committee on the Judiciary discharged by Unanimous Consent.
- **Feb 15, 2006:** Measure laid before Senate by unanimous consent. (consideration: CR S1367-1370)
- **Feb 15, 2006:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Feb 15, 2006:** Passed Senate with an amendment by Unanimous Consent.
- **Feb 15, 2006:** Message on Senate action sent to the House.
- **May 24, 2005:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **May 23, 2005:** Mr. Goodlatte moved to suspend the rules and pass the bill, as amended.
- **May 23, 2005:** Considered under suspension of the rules. (consideration: CR H3677-3703)
- **May 23, 2005:** DEBATE - The House proceeded with forty minutes of debate on H.R. 32.
- **May 23, 2005:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H3699-3700)
- **May 23, 2005:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H3699-3700)
- **May 23, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **May 3, 2005:** Reported (Amended) by the Committee on Judiciary. H. Rept. 109-68.
- **May 3, 2005:** Reported (Amended) by the Committee on Judiciary. H. Rept. 109-68.
- **May 3, 2005:** Placed on the Union Calendar, Calendar No. 34.
- **Apr 13, 2005:** Committee Consideration and Mark-up Session Held.
- **Apr 13, 2005:** Ordered to be Reported (Amended) by Voice Vote.
- **Mar 17, 2005:** Subcommittee Consideration and Mark-up Session Held.
- **Mar 17, 2005:** Forwarded by Subcommittee to Full Committee by Voice Vote.
- **Mar 2, 2005:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Jan 4, 2005:** Introduced in House
- **Jan 4, 2005:** Introduced in House
- **Jan 4, 2005:** Sponsor introductory remarks on measure. (CR E19-20)
- **Jan 4, 2005:** Referred to the House Committee on the Judiciary.