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Design Piracy Prohibition Act

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Aug 2, 2007

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (Aug 2, 2007)

Official Text: <https://www.congress.gov/bill/110th-congress/senate-bill/1957>

Sponsor

Name: Sen. Schumer, Charles E. [D-NY]

Party: Democratic • **State:** NY • **Chamber:** Senate

Cosponsors (10 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		Aug 2, 2007
Sen. Feinstein, Dianne [D-CA]	D · CA		Aug 2, 2007
Sen. Graham, Lindsey [R-SC]	R · SC		Aug 2, 2007
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Sen. Kohl, Herb [D-WI]	D · WI		Aug 2, 2007
Sen. Snowe, Olympia J. [R-ME]	R · ME		Aug 2, 2007
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Aug 2, 2007
Sen. Boxer, Barbara [D-CA]	D · CA		Oct 30, 2007
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Oct 30, 2007

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Aug 2, 2007

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
110 HR 2033	Related bill	May 4, 2007: Referred to the Subcommittee on Courts, the Internet, and Intellectual Property.

Design Piracy Prohibition Act - Extends copyright protection to fashion designs. Excludes from such protection fashion designs that are embodied in a useful article that was made public by the designer or owner more than three months before the registration of copyright application. Gives fashion designs copyright protection for three years.

Declares that is not infringement to make, have made, import, sell, or distribute any article embodying a design which was created without knowledge or reasonable grounds to know that protection for the design is claimed and was copied from such protected design.

Extends the definition of infringing article to include any article the design of which has been copied from an image of a protected design without the consent of the owner. Provides that a fashion design shall not be deemed to have been copied from a protected design if it is original and not closely and substantially similar in overall visual appearance to a protected design.

Applies the doctrines of secondary infringement and secondary liability to actions related to original designs. Makes any person who is liable under either such doctrine subject to all the remedies, including those attributable to any underlying or resulting infringement.

Requires the Register of Copyrights to determine whether or not the application relates to a design which on its face appears to be within the subject matter protected as original designs and, if so, register the design.

Increases allowable damage awards for infringement of original designs.

Actions Timeline

- **Aug 2, 2007:** Introduced in Senate
- **Aug 2, 2007:** Read twice and referred to the Committee on the Judiciary.